

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, January 10, 2005. The meeting was called to order by the Warden at 7:00 p.m.

#### ADDITIONS TO AGENDA

The Warden informed members that it is necessary to add “legal matter” to the Closed Session of Council to be held later this evening.

#### ROLL CALL

The Clerk reported that all councillors representing all districts of the Municipality were present:

- Warden Sterling Belliveau
- Deputy Warden Fred Bower
- Councillor Louise Halliday
- Councillor Donna LeBlanc-Messenger
- Councillor Eddie Nickerson
- Councillor Larry Stewart
- Councillor Sean Strang
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

#### APPROVAL OF MINUTES

**Moved** by L. Stewart and seconded by D. Messenger that the minutes of the last meeting held December 8, 2004 be approved as circulated.

Motion carried unanimously.

#### MATTERS ARISING FROM THE MINUTES

##### Young Offenders Act and Youth Criminal Justice Act

The Clerk informed members that letters of support have been received from the Town of Shelburne and the Municipality of Shelburne for a review of the Young Offenders Act and the Youth Criminal Justice Act by both the federal and provincial governments.

A letter has also been received from Sergeant Kevin Surette of the Barrington R.C.M.P. Detachment which advised that as a member of the R.C.M.P., and a Detachment Commander, being objective and impartial is paramount in the execution of his duties. This being the case, they are discouraged as individuals and as a detachment from publically supporting or denouncing public issues or policies. The letter further advised that he has discussed this matter with the Criminal Operations Branch in Halifax and they have agreed with this interpretation, therefore, he will not be writing the requested letter.

##### Donation of Land

By letter dated November 12, 2004, Mrs. Geneva Frelick of Stoney Island donated land to the Municipality. This request has now been withdrawn by Mrs. Frelick.

Seal Island Light Museum Project

Some time ago the Municipality committed \$5,000 towards the Seal Island Light Museum Project. Funding has now been secured through ACOA and the Municipal commitment is now being requested.

Resolution C050101

**Moved** by L. Halliday and seconded by S. Stewart that the Municipal Clerk provide the funds when needed.

Motion carried unanimously.

Continuing Care Steering Committee

The Clerk informed members that a letter has been received from the Town of Clark's Harbour advising that Councillor Irene Baker will be serving on the Continuing Care Steering Committee.

Coastal Wetlands Amendments

Horner Associates Limited has provided an estimated cost of \$9,500, plus H.S.T., to provide their opinion on the Coastal Wetlands proposed amendments.

Resolution C050102

**Moved** by L. Halliday and seconded by L. Stewart that the quote received from Horner Associates Limited be referred to the Planning Advisory Committee for further discussion.

Motion carried unanimously.

Fire Departments - Financial Statements

Written responses have been received from the District 8 Volunteer Fire Department and the Barrington Volunteer Fire Department indicating their willingness to have Redding & Drane prepare their financial statements. Verbal agreements have been received from Island and Barrington Passage Volunteer Fire Department, Shag Harbour/Bear Point Volunteer Fire Department and the Wood's Harbour Volunteer Fire Department. No word has been received from the Port Clyde Volunteer Fire Department.

Resolution C050103

**Moved** by L. Stewart and seconded by L. Halliday that Redding & Drane be requested to prepare financial statements for the six (6) volunteer fire departments in the Municipality.

Motion carried unanimously.

Parked Cars - Brass Hill Road

A reply has been received from the Department of Transportation regarding the area used as a used car lot at the end of Brass Hill Road. Mr. Acker advised that the posts will not be put back during the winter season since it interferes with snow plowing in that area. Consideration will be given to erecting "no parking" signs at that location.

During discussion of this matter it was noted that the amber light above the crosswalk in Barrington Passage was not working and it was also noted that the crosswalk sign is hidden behind a tree. It was agreed that these matters be reported to the Department of Transportation for their attention.

#### NEW BUSINESS

##### Birding and Nature Festival

Mrs. Pat Hudson appeared before the meeting and provided information to councillors regarding the planned 2005 Birding & Nature Festival. The festival will be held March 17 - 20, 2005. After making her presentation she requested Council to make a contribution towards the festival of \$250.00 - \$500.00. Contributors will have their name and logo printed on promotional materials.

##### Resolution C050104

**Moved** by E. Nickerson and seconded by L. Halliday that the Municipality pay \$500 to the Birding & Nature Festival from the advertising budget.

Motion carried unanimously.

During discussion of this matter it was agreed that the Birding & Nature Festival website be linked to the Municipal website.

#### CORRESPONDENCE

##### Thank You Letter

The Clerk informed members that a thank you note has been received from the Do For Others Club thanking Council for their grant.

##### Cape Sable Lighthouse

The Clerk informed members that a copy of a letter has been received from the Town of Clark's Harbour addressed to the Canadian Coast Guard requesting repairs to the Cape Sable Lighthouse.

##### Resolution C050105

**Moved** by L. Halliday and seconded by L. Stewart that the Municipal Council forward a letter of support of the request of the Town of Clark's Harbour for the Canadian Coast Guard to carry out repairs to the Cape Sable Lighthouse.

Motion carried unanimously.

##### 125<sup>th</sup> Anniversary

The Clerk informed members that on January 13, 2005 a reception will be held at the Argyle Municipal Office in Tuskent marking the 125<sup>th</sup> anniversary of the first council meeting in the District of Argyle.

It was noted that a Bay Side Home meeting will be held the same evening which involves all members of Council.

#### Tsunami Relief

The Clerk informed members that a letter has been received from Gerry Moher advising Council of a fundraiser which will be held at the Lion's Hall on either January 15<sup>th</sup> or January 29<sup>th</sup>, 2005 to raise funds for the tsunami victims. Mr. Moher is requesting that the Municipality of Barrington match in some way the donations collected.

Correspondence has also been received from the UNSM advising that the UNSM plans to become involved in assisting with the restoration of municipal services. They plan to work with the Federation of Canadian Municipalities which is currently determining what the needs in the region are and what role the municipal sector can play in the rebuilding efforts.

#### Resolution C050106

**Moved** by L. Halliday and seconded by S. Strang that a letter be forwarded to Mr. Gerry Moher advising that the Municipality will be participating in a coordinated effort between the UNSM and Federation of Canadian Municipalities to provide relief to the tsunami victims. Any municipal contribution made will be done through these organizations.

Motion carried unanimously.

It was agreed that a copy of this letter be forwarded to all council members for their information.

At this time the Warden turned his chair over to the Deputy Warden.

The Warden informed members that Mrs. Cameron of Wood's Harbour recently lost the roof on her mobile home due to high winds. It was also noted that Mrs. Cameron lost her home to fire a number of years ago. This was a reminder to councillors that we should not lose sight of local issues.

The Warden then resumed the chair.

#### Invitation - Juniper House

It was reported that an invitation has been received inviting councillors to join the Board of Directors and staff of Juniper House for their 20<sup>th</sup> anniversary celebration.

#### Oil and Gas Industry

In advance to the meeting each member was provided with a copy of a letter received from Mrs. Dorothy Ross. The letter advised that as a taxpayer in Nova Scotia for the past 20 years, she strongly feels that further discussion of gas plants be permanently tabled for the protection of the people of Nova Scotia and their very lucrative lobster and fishing industry.

#### Resolution C050107

**Moved** by E. Nickerson and seconded by S. Strang that Mrs. Ross be advised of the presentations to be made by the oil and gas industry on January 24, 2005.

Motion carried unanimously.

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Resolution C050108

**Moved** by L. Halliday and seconded by L. Stewart that an advertisement be placed in the Coast Guard Newspaper informing the public of the presentations to be made to Council on January 24, 2005 on the oil and gas industry, and that the presenters be advised that this advertisement will appear in the Coast Guard Newspaper.

Motion carried unanimously.

REPORT OF WARDEN

The Warden informed members that he attended New Year's Levees held on January 1, 2005 in the Municipality of Shelburne and the Town of Shelburne.

COMMITTEE REPORTS

Committee of the Whole

Listing of Property at Upper Port LaTour

Resolution C050109

**Moved** by F. Bower and seconded by S. Strang that the Municipality continue to list the property in Upper Port LaTour now owned by the Municipality and formerly property of Mr. George Webb.

Motion carried unanimously.

Christmas Tree at McGray Avenue

Resolution C050110

**Moved** by F. Bower and seconded by S. Strang that a letter of thanks be sent to Mr. John Brannen for his assistance in placing the Christmas tree at McGray Avenue.

Motion carried unanimously.

Community Health Centre Entries

Resolution C050111

**Moved** by F. Bower and seconded by L. Halliday that the Municipality apply for an ACCESS-ability grant in order to make the entry to the Community Health Centre accessible to the disabled, at an approximate cost of \$5,500, plus H.S.T.

Motion carried unanimously.

This application will be applied for in the near future with the funds being provided for in the 2005/2006 budget.

Community Health Care Advisory Committee Membership

Notice of proposed amendments to Policy #45, "Community Health Care Advisory Committee Policy" was given at a previous meeting of Council.

Resolution C050112

**Moved** by F. Bower and seconded by L. Halliday that the proposed Community Health Care Advisory Committee Policy be amended to include the following:

1. Doctors, or representatives of the doctors, be included on the Committee as non voting members.
2. There be no defined number of members.
3. There be up to three (3) councillors on the Committee.
4. In the Duties and Responsibilities, paragraph 2, the word "clinic" be changed to "community".

Motion carried unanimously.

In Camera Meetings

Resolution C050113

**Moved** by F. Bower and seconded by S. Strang that a letter be sent to Minister Barnett and Justice Minister Baker indicating that the Municipality endorses the position of the County of Annapolis regarding the Human Rights Commissions' challenge to the Municipal Government Act regarding the provision of "in camera" meetings.

Motion carried unanimously.

Nordsea Limited

**Moved** by F. Bower and seconded by D. Messenger that the balance of the business occupancy tax on the account of Nordsea Fishing Supplies Limited, in the amount of approximately \$2,900, be written off as uncollectible.

The Warden requested the Deputy Warden to chair the meeting in order that he could speak on this matter.

The Warden suggested that the above motion be defeated and allow Nordsea Fishing Supplies Limited additional time to settle the account.

The Warden resumed his chair.

**Moved** by E. Nickerson and seconded by D. Messenger that the above motion be amended to state that the amount be written off as of March 31, 2005, if not collected prior to that date.

Motion carried unanimously.

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The original motion as amended was then put to a vote and carried.

The amended motion reads as follows:

Resolution C050114

“...that the balance of the business occupancy tax on the account of Nordsea Fishing Supplies Ltd., in the amount of approximately \$2,900, be written off as uncollectible as of March 31, 2005 if not collected prior to this date.”

Re: Personnel Policy Re: Conflict of Interest

Resolution C050115

**Moved** by F. Bower and seconded by S. Strang that Article 8A.03 of the Personnel Policy be amended to allow family members to work in the same department.

Motion carried unanimously.

The above motion serves as notice of consideration.

Proposed amendments to Article 8A.03 of the Personnel Policy will be considered by Council at their next meeting.

Sherose Island Contamination

Resolution C050116

**Moved** by F. Bower and seconded by D. Messenger that the federal government be contacted and informed that contamination exists on the Sherose Island property, and that they be requested to clean up the property as it was purchased from them by the Municipality in good faith for value.

Motion carried unanimously.

Rain Gutters at Arena

Resolution C050117

**Moved** by F. Bower and seconded by S. Strang that a section of the rain gutter at the Arena above the external garage door to the Olympia room be replaced at an approximate cost of \$1,000.00.

**AFFIRMATIVE**

Sterling Belliveau

Fred Bower

Louise Halliday

Donna LeBlanc-Messenger

Eddie Nickerson

**NEGATIVE**

Larry Stewart

Sean Strang

Motion carried.

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South West Shore Development Authority

**Moved** by F. Bower and seconded by S. Strang that Mr. Frank Anderson, CEO of the South West Shore Development Authority be requested to appear before a Committee of the Whole meeting in order to discuss the recruitment of physicians.

**Moved** by L. Halliday and seconded by S. Strang that the above motion be amended to request Mr. Anderson to attend a Closed Session of the Committee.

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C050118

“...that Mr. Frank Anderson, CEO of the South West Shore Development Authority, be requested to appear before a Closed Session of the Committee of the Whole in order to discuss the recruitment of physicians.”

The original motion as amended was then put to a vote and carried.

Nova Scotia Power Service

**Moved** by F. Bower and seconded by S. Strang that Nova Scotia Power be asked why it is taking so long for the requested change in street lights and repairs to be completed in the West Baccaro area.

The Warden requested the Deputy Warden to chair the meeting in order that he could speak on this matter.

The Warden suggested that Nova Scotia Power also be requested to carry out required pruning of trees in the Municipality.

**Moved** by S. Belliveau and seconded by S. Strang that the above motion be amended to also request Nova Scotia Power to carry out the pruning of trees along the power line in the Municipality.

Motion carried unanimously.

The Warden then resumed his chair.

The amended motion is as follows:

Resolution C050119

“...that Nova Scotia Power be asked why it is taking so long for the requested change in street lights and repairs to be completed in the West Baccaro area and they also be requested to carry



out the pruning of trees along the power lines in the Municipality.”

The original motion was then put to a vote as amended and carried.

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#### Page Island

##### Resolution C050120

**Moved** by F. Bower and seconded by S. Strang that the Municipality decline the offer from the Federal Department of Public Works and Government Services Canada for the purchase of Page Island in Port LaTour harbour.

Motion carried unanimously.

#### Bereavement Leave

##### Resolution C050121

**Moved** by F. Bower and seconded by S. Strang that the Personnel Policy be redrafted to amend Section 24.01 in order to provide adequate leave in the case of death of a relative, for other classes of employees besides permanent full-time employees.

Motion carried unanimously.

The above motion serves as notice and consideration of amendments will take place at the next meeting of Council.

#### Waste Contracts

**Moved** by F. Bower and seconded by L. Halliday that the Municipality ask the Nova Scotia Department of Environment & Labour and the Region Six Waste Authority if the Municipality of Barrington may join Region Six if it decides to deposit Municipal solid waste at the Queens Regional Landfill.

It was suggested by the Warden that the above motion be tabled until after the Closed Session of Council.

**Moved** by F. Bower and seconded by L. Halliday that the above motion be tabled until after the Closed Session of Council.

Motion carried unanimously.

#### S.S.T. Committee

Councillor Halliday informed members that she, Councillor Nickerson and Councillor Messenger attended the Sod Turning Ceremony for the new Barrington Municipal High School on December 15, 2004.

Councillor Halliday also made reference to a presentation made to the Minister of Education by

the B.M.H.S., S.S.T. Committee. A copy of the presentation will be circulated to members for their information.

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## NEW BUSINESS

### Quarterly Building Permit Report

In advance to the meeting each member was provided with a copy of the Quarterly Building Permit Report covering the months of October, November and December, 2004.

### Water Supply Strategy Pre-Design Study Tenders

The Clerk informed members that the deadline for tenders was January 5, 2005, at 2:00 p.m. Immediately following the deadline, tenders were opened by the Clerk and Warden.

Tenders were received from the following:

- CBCL	\$29,995, plus H.S.T.
- Horner Associates Ltd.	\$43,148, plus H.S.T.
- AMEC America	\$37,250, plus H.S.T.

All tenders have been reviewed and evaluated by Eileen Waller-Hebb of Service Nova Scotia & Municipal Relations and Bruce Arthur of the Department of Environment & Labour. It is their recommendation that CBCL be awarded the tender in the amount of \$29,995, plus H.S.T. It was noted that the Municipality of Barrington will be responsible for 50% of this cost.

### Resolution C050122

**Moved** by E. Nickerson and seconded by D. Messenger that the tender received from CBCL in the amount of \$29,995, plus H.S.T., be accepted for the Water Supply Strategy Pre-Design Study.

#### AFFIRMATIVE

Sterling Belliveau

Fred Bower

Donna LeBlanc-Messenger

Eddie Nickerson

Larry Stewart

Sean Strang

#### NEGATIVE

Louise Halliday

Motion carried.

The Clerk informed members that the Province has agreed to extend the deadline for the completion of this project. It is anticipated that the project will be completed during the first two weeks of April.

Proposed Amendments to Personnel Policy Re: Article No. 4

Notice of Consideration of Amendments to Article 4 of the Personnel Policy was given at the last meeting of Council. It is proposed that Article 4 of the Personnel Policy be amended to add the following sentence at the end of Section 4.05: "Where no person other than the employee can provide for the needs during illness of a dependent child not living in the same household, an employee shall also qualify for the same entitlement."

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Resolution C050123

**Moved** by L. Halliday and seconded by L. Stewart that Article 4 of the Personnel Policy be approved as indicated above.

Motion carried unanimously.

Policy 39 - Hiring Policy

Notice of proposed amendments to Policy #39 "Hiring Policy" was given at the last meeting of Council.

This policy has been revised making Municipal staff voting members of the Hiring Committee.

Resolution C050124

**Moved** by L. Halliday and seconded by D. Messenger that proposed amendments to Policy 39 "Hiring Policy" be approved as presented.

Motion carried unanimously.

Proposed Amendments - Policy 22 "Use of Municipal Vehicles"

Notice of Consideration of amendments to Policy 22 "Use of Municipal Vehicles" was given at the last meeting of Council. The policy has been redrafted to include all vehicles owned by the Municipality of Barrington.

Resolution C050125

**Moved** by S. Strang and seconded by L. Halliday that revised Policy 22 "Use of Municipal Vehicles" be approved as presented.

Motion carried unanimously.

Assessment for 2005/2006

In advance to the meeting each member was provided with assessment information which showed an overall total increase on taxable assessment of 4.7%.

Interest on Accounts Receivable

Councillor Stewart informed members that he has been approached by several residents

regarding the percentage of interest charged by the Municipality on outstanding tax accounts. Seven (7) other municipal units were contacted and it has been determined that the interest amount charged by those municipal units range from 12% to 18%. The Municipality of Barrington currently charges 18%.

**Moved** by L. Stewart and seconded by F. Bower that the Municipality charge an interest rate on outstanding tax accounts of 3% above the borrowing rate charged to the Municipality.

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Resolution C050126

**Moved** by L. Halliday and seconded by D. Messenger that the above motion be referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

Household Hazardous Waste Depot

The Clerk informed members that approval has been received from the RRFB for an \$11,000 grant to be applied towards the development of a Household Hazardous Waste Depot at the C & D Landfill Site. It is planned that the depot will be put in place this spring.

CLOSED SESSION OF COUNCIL

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

The regular session of Council was then called back to order.

Waste Contracts

The motion tabled earlier in the meeting was then brought forward. The motion reads:

Resolution C050127

*“Moved by F. Bower and seconded by L. Halliday that the Municipality ask the Nova Scotia Department of Environment & Labour and the Region Six Waste Authority if the Municipality of Barrington may join Region Six if it decides to deposit Municipal solid waste at the Queens Regional Landfill.”*

Motion carried unanimously.

Resolution C050128

**Moved** by E. Nickerson and seconded by F. Bower that Waste Check be contacted and requested to provide information on the future cost of disposing of waste through Region 7.

Motion carried unanimously.

YEARLY INCREMENT

Resolution C050129

**Moved** by S. Strang and seconded by F. Bower that Jamie Crowell receive his annual increment after having received a satisfactory performance evaluation.

Motion carried unanimously.

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ADJOURNMENT

**Moved** by F. Bower that the meeting adjourn.

The meeting was adjourned at 10:12 p.m.

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\_\_\_\_\_ Warden Clerk \_\_\_\_\_

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Secretary for the Meeting

**Copied for Councillors on January 12, 2005 by Sharon Brannen.**

