

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, August 11, 2008.

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:

- Warden Louise Halliday
- Deputy Warden Eddie Nickerson
- Councillor George El-Jakl
- Councillor Donna LeBlanc-Messenger
- Councillor Wilford Smith
- Councillor Larry Stewart
- Councillor Sean Strang
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

#### DECLARATIONS OF CONFLICT OF INTEREST

Deputy Warden Nickerson informed members that it may be necessary for him to declare conflict of interest depending on matters discussed in closed session.

#### APPROVAL OF MINUTES

Moved by S. Strang and seconded by W. Smith that the minutes of the last meeting held July 28, 2008, be approved as circulated.

Motion carried unanimously.

#### MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

#### CORRESPONDENCE

##### Tri-County Pregnancy Care Centre

In advance to the meeting each member was provided with a copy of a letter received from the Tri-County Pregnancy Care Centre thanking Council for their recent contribution.

##### Health Promotion and Protection

In advance to the meeting each member was provided with a copy of a letter received from Health Promotion and Protection advising that our grant application submitted under the Rink Revitalization Program has been approved. The program will provide \$27,000.00 which will be used to defer expenses incurred in the maintenance of the Arena.

Advance Region 6 Diversion Funding

Correspondence has been received from Region 6 which advised that advanced diversion credits will be issued in the next 4-6 weeks. The total advance calculated for the Municipality and the Town of Clarks Harbour is \$31,815.00, less last year's overpayment of \$8,710.00, for a total of \$23,105.00. Municipality's portion is \$20,678.00.

The final calculation for 2007-2008 will be determined upon review of the final submission to detacall in late fall.

During discussion of this matter it was noted that Diversion Credit monies will be used to offset the cost of municipal solid waste collection and disposal including the C & D Landfill.

Future of Beaches in Southwest Nova Scotia

Correspondence has been received from the NS Piping Plover Conservation Program expressing concern regarding the future of beaches in Southwest Nova Scotia as it relates to the piping plover and other endanger species. Beaches are being threatened by recreational uses, shoreline development, sea-level rise, pollution, etc.

Councillor Messenger informed members that a meeting is being planned for September to discuss problems and future preservation.

Under Water Camera Funding Request

In advance to the meeting each member was provided with a copy of an e-mail received from Concerned Fishermen which requested a financial contribution to assist with the cost of an under water camera to film the ocean bottom in area SFA 29. This will provide video footage of what happens to the habitat when scallop draggers tow the grounds. This video will be a tool that can be used to better manage the scallop fishery and reduce the impact on the habitat and lobster fishing grounds.

The e-mail advised that the use of an under water camera is supported by LFA 34 lobster fishermen and SFA 29 scallop fishermen.

The Warden turned the chair over to the Deputy Warden in order that she could address the matter. After making her comments she resumed the chair.

Resolution C080801

**Moved** by W. Smith and seconded by D. Messenger that the Municipality contribute \$1,000.00 towards the cost of an under water camera to be used for the purpose outlined in the e-mail and that the Municipality be provided with a copy of the video footage for our files.

Motion carried unanimously.

It was agreed that payment would be made upon submission of a copy of the written invoice.

REPORT OF COUNCILLORS

Councillor Larry Stewart

Councillor Stewart advised that CBCL will be carrying out the Pre-Design Investigation of Wastewater Servicing on Cape Sable Island. The Town of Clarks Harbour has granted approval for us to evaluate their system as part of the Pre-Design Investigation.

Councillor Sean Strang

Committee of the Whole

Tri-County Regional School Board

Resolution C080802

**Moved** by S. Strang and seconded by W. Smith that the Nova Scotia Minister of Education be requested to review the Hogg funding formula model for school boards in the Province of Nova Scotia.

Motion carried unanimously.

Shelburne County Industrial Commission

Resolution C080803

**Moved** by S. Strang and seconded by L. Stewart that a letter be sent to the Shelburne County Industrial Commission requesting that meeting dates be set, and that meetings be held as required by the Terms of Reference of the Commission whenever a quorum is available, regardless which individual members may be available, and that the Commission conduct its business according to the Terms of Reference, as required.

Motion carried unanimously.

Stoney Island Community Club Request

Resolution C080804

**Moved** by S. Strang and seconded by L. Stewart that the Stoney Island Community Club be granted \$3,500.00 from the District 5 Community Grants Fund.

Motion carried unanimously.

Barrington Municipal Exhibition

Resolution C080805

**Moved** by S. Strang and seconded by L. Stewart that the Barrington Municipal Exhibition be granted \$200.00 from the District 5 Community Grants Fund.

Motion carried unanimously.

Resolution C080806

**Moved** by G. El-Jakl and seconded by D. Messenger that the Barrington Municipal Exhibition be granted \$250.00 from the District 1 and \$250.00 from the District 7 Community Grants Fund.

Motion carried unanimously.

Certificate of Recognition

Resolution C080807

**Moved** by S. Strang and seconded by L. Stewart that a certificate of recognition be issued to the Woods Harbour Fire Department Extrication Team for their recent accomplishment at competitions.

Motion carried unanimously.

Deputy Warden Eddie Nickerson

No Committees to report.

Councillor George El-Jakl

Community Grants

Resolution C080808

**Moved** by G. El-Jakl and seconded by W. Smith that the Green Grove Cemetery Club be granted \$750.00 and the Samuel Wood Historical Society be granted \$1,000.00 from the District 1 Community Grants Fund.

Motion carried unanimously.

Councillor Donna LeBlanc-Messenger

Councillor Messenger informed members that the Brass Hill Playground Group held a Yard Sale on August 2<sup>nd</sup> and raised \$1,700.00. They are planning another Yard Sale for September.

Councillor Messenger also informed members that the Osprey will be honouring Hattie Perry on Saturday August 16, 2008. Tickets can be obtained by contacting the Osprey Arts Centre.

Councillor Wilford Smith

No Committees to report.

Report of Warden

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

NEW BUSINESS

Public Hearing RE: MPS & LUB Amendments

It was noted that this matter was placed on the agenda in error. This matter is scheduled to be dealt with on August 25<sup>th</sup>.

Consideration of Policies

At the last meeting of Council Notice of Consideration was given for various policies to be revised and repealed at this meeting.

The Clerk informed members that Hiring Policy No. 39 has been revised to include Policy No. 3 “Summer Staff Hiring and Administration Policy”, Policy No. 20 “Recreation Department Summer Staff Hiring and Administration Policy” and Policy No. 50 “Casual Labour”.

Resolution C080809

**Moved** by D. Messenger and seconded by W. Smith that revisions to the Hiring Policy No. 39 be approved as presented and Policy No. 3 “ Summer Staff Hiring and Administration Policy, Policy No. 20 “Recreation Department Summer Staff Hiring and Administration Policy” and Policy No. 50 “Casual Labour” be repealed since these three policies are now included in Hiring Policy No. 39.

Motion carried unanimously.

The Clerk informed members that Policy No. 27 “EMO/S&R Bus” can be repealed since we no longer own the Bus and Policy No. 23 “Announcement Banner” can be repealed since we no longer use the Banner.

Resolution C080810

**Moved** by L. Stewart and seconded by G. El-Jakl that Policy No. 27 “EMO/S&R Bus” and Policy No. 23 “Announcement Banner” be repealed.

Motion carried unanimously.

The Clerk informed members that it is proposed that Arena Fees for Usage of the Facility and Policy No. 6 “Policy Governing Use of Municipal Facilities” be amended to include benefit concerts and fundraisers. Policy No. 6 has also been amended to include policies that will govern the use of the Sherosse Island Recreation Centre. These policies were previously contained in Recreation Policy No. 12 “Sherosse Island Community Centre Policies of the Facility”, which can be repealed if amendments to Policy No. 6 are approved.

Resolution C080811

**Moved** by E. Nickerson and seconded by G. El-Jakl that Arena Fees for Usage of the Facility and Policy No. 6 “Policy Governing Use of Municipal Facilities” be amended as proposed to include benefit concerts and fundraisers.

Motion carried unanimously.

Resolution C080812

**Moved** by G. El-Jakl and seconded by E. Nickerson that Recreation Department Policy No. 12 “Sherosse Island Community Centre Policies of the Facility” be repealed since these policies are now included in Policy No. 6 “ Policy Governing Use of Municipal Facilities”.

Motion carried unanimously.

Business Park

Land Expropriation

Resolution C080813

**Moved** by W. Smith and seconded by S. Strang:

**WHEREAS** the Council of the Municipality of the District of Barrington has caused to be prepared a plan and description of certain land in Barrington Passage, which land is required for the purpose of an Industrial park and facilities for the encouragement of economic development;

**AND WHEREAS** the Council of the Municipality of the District of Barrington desires to expropriate the land hereinafter described and any and all interest and rights therein, for the said purpose;

**NOW THEREFORE BE IT RESOLVED** by the Council of the Municipality of the District of Barrington that, pursuant to the provisions of the Expropriation Act, being Chapter 156 of the Revised Statutes of Nova Scotia, 1989, and the Municipal Government Act, the aforesaid land and any and all estate and interest therein be and the same is hereby expropriated for the purpose of an Industrial Park and facilities for the encouragement of economic development; upon the filing of this resolution with the Registrar of Deeds for the County of Shelburne;

**AND BE IT FURTHER RESOLVED** by the Council of the Municipality of the District of Barrington that, pursuant to the provisions of the Expropriation Act, the Municipal Clerk of the Municipality of the District of Barrington shall file with the Registrar of Deeds for the County of Shelburne, a copy of a description of the land, and a copy of this Resolution under the Seal of the Municipality of the District of Barrington

**AND BE IT FURTHER RESOLVED** that the land hereby expropriated is described in Schedule "A" attached hereto and shown on the Plan attached as Schedule "B" hereto.

Motion carried unanimously

Stirl's Road Agreement

Resolution C080814

**Moved** by S. Strang and seconded by L. Stewart:

**WHEREAS** the Municipality of the District of Barrington wishes to increase economic development by establishing a Business Park in the Municipality in order to attract businesses that will provide jobs for local residents and stimulate the local economy;

**AND WHEREAS** the Municipality has determined that it is necessary to purchase a portion of the property known as Stirl's Road to gain access to property which is to be developed as a Business Park;

**THEREFORE BE IT RESOLVED** that the Municipality of the District of Barrington enter into an agreement of purchase and sale for a portion of the property known as Stirl's Road, in Barrington Passage, for the purpose of gaining access to municipal property which will be developed as a Business Park.

Motion carried unanimously.

Temporary Borrowing Resolution

Resolution C080815

**Moved** by G. El-Jakl and seconded by S. Strang:

**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(ao) of the Municipal Government Act authorizes the Municipality of the District of Barrington to borrow funds for the purpose of industrial parks, incubators malls and land and other facilities for the encouragement of economic development;

**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 Two Hundred Fifty Thousand Dollars (\$250,000.) 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 Two Hundred Fifty Thousand Dollars (\$250,000.) 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.

Motion carried unanimously.

Applications Re: Property Services Technician

The Clerk reported that the position of Property Services Technician has been advertised internally consistent with municipal policy. One application has been received.

It was agreed that the Hiring Committee would meet on Wednesday, August 20, 2008 at 7:00 p.m. to interview the applicant.

Benefit Concert

The Deputy Warden informed members that there will be a Benefit Concert held for Lonnie Townsend on Wednesday, August 13, 2008 at the Lockeport Baptist Church, at 7:00 p.m.

CLOSED SESSION

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

The regular session of Council was called back to order.

Conflict of Interest

Deputy Warden Eddie Nickerson declared conflict of interest in closed session prior to discussion of the legal matter and left the meeting room.

LEGAL MATTER

Resolution C080816

**Moved** by W. Smith and seconded by S. Strang that Solicitor Kevin MacDonald be hired to deal with a pending legal matter.

Motion carried unanimously.

Deputy Warden Eddie Nickerson returned to the meeting.

PERSONNEL MATTER

Resolution C080817

**Moved** by W. Smith and seconded by D. Messenger that Cameron Whiteway be hired on a full time basis after having satisfactorily completed his probationary period.

Motion carried unanimously.

ADJOURNMENT

Moved by G. El-Jakl that the meeting adjourn.

The meeting was adjourned at 8:15 p.m.

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Warden

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Clerk

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Secretary for the Meeting