

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 14, 2008.

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

### ROLL CALL

The Clerk reported that councillors representing Districts 1, 2, 3, and 4 were present. Councillor Larry Stewart representing District 5 was absent due to an illness in his family. The Clerk informed members that no word has been received from Councillor Strang representing District 6 and Deputy Warden Nickerson representing District 7, therefore they are expected to arrive shortly.

- Warden Louise Halliday
- Councillor George El-Jakl
- Councillor Donna LeBlanc-Messenger
- Councillor Wilford Smith
- Deputy Warden Eddie Nickerson (7:05 p.m.)
- Councillor Sean Strang (7:05 p.m.)

Councillor Larry Stewart was absent due to an illness in his family.

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

### DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

### APPROVAL OF MINUTES

**Moved** by W. Smith and seconded by D. Messenger that the minutes of the last meeting held December 10, 2007 be approved as circulated.

Motion carried unanimously.

### MATTERS ARISING FROM THE MINUTES

#### Power Outages - Port LaTour/Baccaro Areas

The Clerk informed members that correspondence has been received from Nova Scotia Power in response to our letter dated November 28, 2007 in which Council expressed concern over recent power outages in the Port LaTour/Baccaro areas.

The letter advised that Darrell Emberley, Customer Service Manager, will be contacting the Municipal Office to review their regular maintenance programs as well as specific actions planned for the Port LaTour/Baccaro area.

Pubnico Point Wind Farms

Correspondence has been received from the Municipality of Argyle advising that they can find no correspondence or indication that the Department of National Defence evaluated the Pubnico Point Wind Farm, neither at the time of initial consultations, nor after construction. The letter further advised that Mr. Brad d'Entremont, Wind Farms Operations Manager, has indicated that the Department of National Defence has raised no issues or concerns with the existing wind farm.

The original letter received from National Defence was then discussed. Question was raised as to whether wind turbine projects could be established within 60 kilometers of the Barrington Air Traffic Control Radar.

Resolution C080101

**Moved** by W. Smith and seconded by G. El-Jakl that a letter be forwarded to Major J. D. Tromp, National Defence, asking whether it is possible to set up a wind turbine project within 60 kilometers of the Barrington Air Traffic Control Radar.

Motion carried unanimously.

Cost Shared Paving Projects - D.O.T.

The Clerk informed members that correspondence has been received from the Department of Transportation regarding our request for the cost shared paving of Circle Drive on Sherose Island. The Department has advised that this project, unfortunately, does not qualify for the paving program due to the fact that it is not a Department of Transportation and Infrastructure Renewal owned road. The Department is only willing to cost share solely on the Department's own roads.

Members raised question regarding other outstanding Department of Transportation matters.

Members were brought up to date on the Forbes Point bridge and the Barrington Passage Post Office matter.

C.S.I. Causeway

In advance to the meeting each member was provided with a copy of a letter received from Mr. Eric Hundert, Acting Director, Environment Canada. Mr. Hundert informed members that the problems we have described do not fall within Environment Canada's jurisdiction. The letter advised that Environment Canada's roles and responsibilities related to pollution include contributing to sustainable development through pollution prevention and protecting fish and fish habitat from harm caused by pollution through administration and enforcement of the pollution prevention provisions of the Fisheries Act and through the Canadian Environmental Protection Act and its regulations.

At this time Environment Canada is not aware of any pollution or potential sources of pollution in the area of the Cape Sable Causeway which would constitute a violation of the Act noted above.

Much discussion took place regarding this matter. It was noted that fecal coliform has been reported many times in the area and the East Bay.

Resolution C080102

**Moved** by E. Nickerson and seconded by W. Smith that Mr. Hundert of the Department of Environment be contacted and advised that there is pollution in the area, and fecal coliform has been reported many times in the area of the Cape Sable Island Causeway and the East Bay, and it is the responsibility and role of the Department of Environment to determine whether there is any harm being done to fish or fish habitat in the area.

The Warden then turned the Chair over to the Deputy Warden in order that she could address the matter.

After expressing her concerns, the Warden resumed the Chair.

It was agreed that the Municipality obtain a copy of the latest testing results as carried out by the Canadian Food Inspection Agency.

The motion was then put to a vote and carried.

**AFFIRMATIVE**

George El-Jakl  
Donna LeBlanc-Messenger  
Eddie Nickerson  
Wilford Smith

**NEGATIVE**

Louise Halliday  
Sean Strang

Smoke Free Places Act

In advance to the meeting each member was provided with a copy of a letter received from MLA Sterling Belliveau. The letter advised that Bill No. 6, "Smoke Free Places Act", received royal assent on December 13, 2007, and is subject to proclamation.

Grey Seal Harvest

In advance to the meeting each member was provided with a copy of a letter received from Loyola Hearn, Minister of Fisheries and Oceans, regarding the grey seal harvest. The letter advised of steps being taken by the Federal Government to manage the grey seal population.

CORRESPONDENCE

Nova Scotia Utility and Review Board Application

In advance to the meeting each member was provided with correspondence received from the Nova Scotia Utility and Review Board which confirmed the number of polling districts and the number of councillors for the Municipality of Barrington at 7 and the boundaries of the polling districts to remain the same.

National Flag Day

The Warden informed members that correspondence has been received from the Department of Canadian Heritage requesting the Municipality to declare National Flag Day on February 15, 2008.

The Warden read the proclamation provided by the Department, and having received no objections to the proclamation, the Warden declared February 15, 2008 as National Flag of Canada Day in the Municipality of Barrington.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

Councillor George El-Jakl

Councillor El-Jakl gave a brief report on his activities since the last meeting of Council.

Councillor Donna LeBlanc-Messenger

Councillor Messenger gave a brief report on her activities since the last meeting of Council.

Councillor Wilford Smith

No committees to report.

Councillor Sean Strang

Committee of the Whole Council

Mike Hennigar Request

Resolution C080103

**Moved** by S. Strang and seconded by D. Messenger that the Municipality notify Mr. Harding that it approves the recording of the easement being granted by Butler's Estates to the Municipality for the purpose of maintaining the main sewer and connectors within the right of way on Butler's Estates Property, and that accepting registration of this easement does not imply that the Municipality will accept ownership of the sewer line in the future, and that the approval of registration is subject to the approval of the Municipal Solicitor.

Motion carried unanimously.

Arena Discipline Policy

Resolution C080104

**Moved** by S. Strang and seconded by W. Smith that notice be given at tonight's Council meeting of amendments to the Arena Discipline Policy which will incorporate the proposed new structure for fines for individuals breaking the Alcohol and Smoking Policy in the Arena.

Motion carried unanimously.

Flag Policy

Resolution C080105

**Moved** by S. Strang and seconded by W. Smith that notice of consideration of the adoption of a Flag Policy be given tonight, and further consideration of the policy will be given at the next meeting of Council.

Motion carried unanimously.

Building Inspector Job Description

Resolution C080106

**Moved** by S. Strang and seconded by G. El-Jakl that the Building Inspector's job description be revised as proposed.

Motion carried unanimously.

Fire Departments

**Moved** by S. Strang and seconded by E. Nickerson that the Municipality pay the Island & Barrington Passage Volunteer Fire Department \$59,079.82 and the Barrington Volunteer Fire Department \$18,000.00 as previously indicated in their applications to the Emergency Services Provider Fund of the Province of Nova Scotia.

Resolution C080107

**Moved** by E. Nickerson and seconded by D. Messenger that the above motion be tabled until staff have an opportunity to discuss the current financial requirements of the fire departments with them.

Motion carried unanimously.

Former B.M.H.S. Property

Resolution C080108

**Moved** by S. Strang and seconded by G. El-Jakl that the Municipality respond to the Tri-County Regional School Board indicating that it is not willing to share in the cost of removing contaminated soil from the former B.M.H.S. site in Barrington Passage.

Motion carried unanimously.

Barrington Ground Search & Rescue Request

Resolution C080109

**Moved** by S. Strang and seconded by W. Smith that a letter of approval be sent to the Barrington Ground Search & Rescue Group for their project to upgrade the building from which they operate in Barrington Passage.

Motion carried unanimously.

Doctor Yee Request Re: Family Medicine Resident

Resolution C080110

**Moved** by S. Strang and seconded by E. Nickerson that the Municipality provide the use of the apartment in the Community Health Centre to Dr. Courtney Smith during the period for which she will be staying in the area and working with Dr. Yee, and that the Municipality pay a portion of the rent for Dr. Abud's office during the time that Dr. Smith is working out of that location.

Motion carried unanimously.

It was noted that the rent portion being requested by Dr. Yee is approximately \$825.00 per month for a three month period.

Wood's Harbour Trail Agreement

Resolution C080111

**Moved** by S. Strang and seconded by G. El-Jakl that the Municipality enter into the agreement constituting the Letter of Authority between the Nova Scotia Department of Natural Resources and the Municipality of Barrington to construct a multi-purpose trail in Wood's Harbour between Cemetery Road and Post Office Road on the former CNR right of way.

Motion carried unanimously.

Development Officer

Resolution C080112

**Moved** by S. Strang and seconded by G. El-Jakl that Carl Smith be appointed Acting Development Officer for the Municipality in addition to being Acting Building Inspector and Acting Fire Inspector for the interim period until a new employee is hired.

Motion carried unanimously.

Wood's Harbour Sidewalk

Resolution C080113

**Moved** by S. Strang and seconded by G. El-Jakl that Horner Associates be requested to redesign the sidewalk in Wood's Harbour using the urban profile so that it can be constructed as far as possible within the existing budget.

<u>AFFIRMATIVE</u>	<u>NEGATIVE</u>
George El-Jakl	Sean Strang
Louise Halliday	
Donna Leblanc-Messenger	
Eddie Nickerson	
Wilford Smith	

Motion carried.

Uncollectible Taxes

Camp Lease

Resolution C080114

**Moved** by S. Strang and seconded by G. El-Jakl that the Municipality write off the outstanding amount of taxes and interest on the camp lease site between Ryan Thomas and the Municipality of Barrington which has been terminated.

Motion carried unanimously.

Outstanding Mobile Home Taxes

Resolution C080115

**Moved** by S. Strang and seconded by G. El-Jakl that the outstanding taxes on the account of Gina Thomas at the Anthony Estates location be written off as a duplication of taxes which is uncollectible.

Motion carried unanimously.

Joval International

Resolution C080116

**Moved** by S. Strang and seconded by E. Nickerson that the outstanding business occupancy taxes, plus interest, of approximately \$4,300.00 on the account of Joval International Nova Scotia Limited, be written off as uncollectible.

<u>AFFIRMATIVE</u>	<u>NEGATIVE</u>
George El-Jakl	Sean Strang
Louise Halliday	
Donna LeBlanc-Messenger	
Eddie Nickerson	
Wilford Smith	

Motion carried.

2008 Election

Mayor/Warden

Resolution C080117

**Moved** by S. Strang and seconded by W. Smith that the Municipality continue to elect a warden as it has done in the past.

Motion carried unanimously.

Fees and Deposit

Resolution C080118

**Moved** by S. Strang and seconded by W. Smith that the following fees be established for the 2008 Municipal Election:

- Returning Officer, \$5,000.00, plus out-of-pocket expenses as per policy
- Deputy Returning Officer, \$175.00 per day
- Poll Clerk, \$150.00 per day

Motion carried unanimously.

List of Electors

Resolution C080119

**Moved** by S. Strang and seconded by G. El-Jakl that the Municipality use the most recent Provincial List of Electors for the 2008 Municipal Elections.

Motion carried unanimously.

Returning Officer

Resolution C080120

**Moved** by S. Strang and seconded by G. El-Jakl that the Municipality advertise for a Returning Officer for the 2008 Municipal Election as soon as possible.

Motion carried unanimously.

Building Canada Fund

Resolution C080121

**Moved** by S. Strang and seconded by E. Nickerson that the Municipality apply for funding for the Cape Sable Island Sewer Project under the Building Canada Fund.

Motion carried unanimously.



CONDOLENCES TO CITY OF BATHURST

Resolution C080122

**Moved** by D. Messenger and seconded by W. Smith that a letter of condolence be forwarded to the City of Bathurst, New Brunswick, on their recent loss of seven high school students and a teacher.

Motion carried unanimously.

INDUSTRIAL SITE STUDY

The Clerk informed members that the Industrial Site Study has been completed and we expected to receive the document today by email which has not yet been received.

DEMOCRACY 250

The Warden informed members that she just received an email from Dawn Edith Penney which makes reference to Council's decision to offer an essay contest to Grade 6 students in recognition of Democracy 250. Ms. Penney is suggesting that the contest also be held for Grade 12 students and those in post secondary schools who are majoring/minoring in political science.

During discussion of this matter it was noted that an essay contest will also offered by the Provincial Government and it was agreed that Ms. Penney be advised of plans of the Province.

NEW BUSINESS

Gary Gaudet, South West Shore Development Authority

The Clerk informed members that it was necessary for Mr. Gaudet to cancel his appointment before Council. Mr. Gaudet has rescheduled his presentation for January 28, 2008.

Policy Amendment Re: Meal Allowance

Resolution C080123

**Moved** by S. Strang and seconded by W. Smith that proposed amendments to the meal allowance policy be amended providing for a daily allowance of \$60.00, with receipts.

AFFIRMATIVE

George El-Jakl  
Louise Halliday  
Donna LeBlanc-Messenger  
Wilford Smith  
Sean Strang

NEGATIVE

Eddie Nickerson

Motion carried.

Hiring Committee Re: Property Services Technician

Members were reminded that there will be a Hiring Committee meeting tomorrow at 9:00 a.m. to interview an applicant for the Property Services Technician position.

BUILDING INSPECTOR

The Clerk informed members that 13 applications have been received for the position of Building Inspector/Development Officer/Fire Inspector and By-Law Enforcement Officer.

It was agreed that the applications be short listed for interviews and that criteria be circulated to members to assist in this process. Also, copies of the resumes will be forwarded to members as soon as possible. The Hiring Committee will meet on Wednesday, January 23, 2008, at 7:00 p.m., to conduct interviews. It is the intention of the committee members to short list applicants to 6.

CLOSED SESSION OF COUNCIL

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

The Regular Council meeting was then called back to order.

Resolution C080124

**Moved** by W. Smith and seconded by D. Messenger that Dr. John and Charlene O'Connor be reimbursed, without prejudice, the costs incurred in order to address the propane issue at their property located at 195 Port Clyde, in the amount of \$883.80.

Motion carried unanimously.

DEPARTMENT HEADS

Resolution C080125

**Moved** by E. Nickerson and seconded by G. El-Jakl that department heads attend the first Committee of the Whole Meeting each month in order to present a monthly report on activities of their departments.

Motion carried unanimously.

ADJOURNMENT

**Moved** by S. Strang that the meeting adjourn.

The meeting was adjourned at 8:26 p.m.

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Warden

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Clerk

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Secretary for the Meeting

**On website January 16, 2008.**