

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 26, 2009.

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

ROLL CALL

The Clerk reported that the following councillors were present representing District, 1, 2, 4, 6 and 7 of the Municipality.

- Warden Louise Halliday
- Deputy Warden Donna LeBlanc-Messenger
- Councillor George El-Jakl
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard
- Councillor Sean Strang

There is still a vacancy in District 5.

- Brian Holland, Municipal Clerk

DECLARATIONS OF CONFLICT OF INTEREST

There were no conflicts of interest declared.

APPROVAL OF MINUTES

Moved by G. El-Jakl and seconded by S. Strang that the minutes of the last regular meeting held January 12, 2009 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

CANADIAN CANCER SOCIETY

Mr. Tim Alison and Ms. Brenda Burgess appeared before the meeting in order to make a presentation on behalf of the Canadian Cancer Society.

The goal of their presentation is to share the work that is being done by the Society here in Southwestern Nova Scotia. Mr. Alison and Ms. Burgess made a power point presentation which summarized much of the good work that is being done by the Canadian Cancer Society in South Western Nova Scotia. They also provided a written summary of the presentation which had been previously circulated to members. Mr. Alison indicated that it is important at this particular time for the Society to assure local organizations of the Society's work in the area since there is an economic downturn currently in process.

Mr. Alison informed members that the residents of South Western Nova Scotia receive far more benefits from the Canadian Cancer Society than the sum of the contributions that are made in this area. The primary fundraising effort in this area is the Relay for Life which is held each year. The residents of South Western Nova Scotia benefit in many ways from the Society including the “Lodge that Gives”, “Camp Goodtime”, and much cancer information and support that is provided by the Society. As well the Society funds research into all forms of cancer in Canada.

Having completed their presentation Mr. Alison and Ms. Burgess retired from the meeting at 7:25 p.m.

RANDAL SMITH INTERVIEW RE: TAX EXPENSES AND WOOD CUTTING

Mr. Randal Smith appeared before the meeting for the purpose of requesting Council to waive the payment of tax sale expenses on a property in which he has an interest. This property is a campsite on crown land. The property was described in the assessment records as land and building, Bloody Creek, Middle Clyde. Upon searching the property it was discovered that it was in fact a lease for a campsite on crown land. Communication with the Provincial Department of Natural Resources revealed that the Municipality cannot sell crown land and cannot sell any buildings that are affixed to crown land. As a result the Municipality cannot sell the campsite. The Municipality incurred postage and search costs by the Municipal Solicitor in searching the property as part of the regular tax sale process.

Resolution C090119

Moved by S. Strang and seconded by D. Messenger that this matter be referred to committee for further consideration and that the Municipal Solicitor be consulted to determine if the expenses may be waived because the description of the property was in error which lead to expenses being incurred by the Municipality.

Motion carried unanimously.

Mr. Smith then addressed the matter of cutting wood on Municipal property. Mr. Smith has obtained a wood cutting permit from the Municipality and wishes to cut wood between the Landfill Site and Highway #103. The location at which he wishes to cut wood is very near the Landfill Site, but is more than 100 feet from the centre line of Highway 103. Municipal Staff have not permitted cutting in this area as the Municipality maintains a green buffer of trees in that area so that the Landfill is not visible from the highway.

It was determined that the map provided to residents who have wood cutting permits lacks detail in this area.

Moved by D. Messenger that the Municipality restrict wood cutting from areas on Sherose Island, areas leased as camp sites on municipal property and from the Landfill Site.

After further discussion this motion was withdrawn.

Mr. Smith then stated that he believes he may have some historical claim to the properties owned by the Municipality in the Clement’s Pond, Goose Lake areas.

Council agreed by consensus not to impose any further restrictions on wood cutting on municipal property until Mr. Smith has an opportunity to investigate his claims.

COMMUNITY GRANTS

There then followed some discussion regarding community grants.

Resolution C090120

Moved by S. Strang and seconded by C. O'Donnell that the Community Grants Policy be referred to the next meeting of the Committee of the Whole.

Motion carried unanimously.

Having completed his discussion of this matter, Mr. Smith then retired from the meeting at approximately 8:20 p.m.

CORRESPONDENCE

National Flag Day

National Flag Day will again be celebrated on February 15, 2009. The Warden declared February 15th as National Flag Day in the Municipality of Barrington.

JEPP Application

Consideration of the JEPP application being recommended by the Emergency Measures Organization will be deferred at the request of the Emergency Measures Coordinator for the Council meeting to be held two weeks hence.

Municipal Services Division Report

Members were informed that copies of the Annual Municipal Services Report has been received at the Municipal Office and are available for review. Two copies of the report were circulated to members for their information and review at the meeting.

Region 6 - Diversion Credits

Correspondence has been received from the Region 6 Solid Waste Management Committee indicating that a motion has been passed providing \$23,105.00 under Special Projects to be advanced as Diversion Credits for the Municipality of the District of Barrington and the Town of Clark's Harbour. These funds have previously been received by the Municipality.

Resolution C090121

Moved by S. Strang and seconded by G. El-Jakl that a letter of thanks be sent to Region 6 Solid Waste Management Committee.

Motion carried unanimously.

Physician Recruitment Committee

Correspondence has been received from Mr. Bob Legere, Chair of the Physician Recruitment Committee. The purpose of this committee is to recruit physicians to Shelburne County. One of the main goals of this committee is to recruit physicians who will work at least part of their time in the emergency room at Roseway Hospital. It has been determined by this committee that a new medical clinic needs to be established in Shelburne in order to attach 6 to 8 health care providers to the community. The committee is requesting an agreement from the municipal units in support of their efforts. The committee wishes to have support from all five municipal units in Shelburne County.

Resolution C090122

Moved by D. Messenger and seconded by S. Strang that a letter of support, in principle, to support a new medical clinic to house 6 to 8 health care providers in Shelburne be provided to the Physician Recruitment Committee.

Motion carried unanimously.

Minister's Visit

An email has been received from our Municipal Advisory, Mr. Paul Mills, informing the Municipality that Minister Richard Hurlburt, who is the new minister for Service Nova Scotia and Municipal Relations, will be visiting the Municipality on Tuesday, February 3, 2009. Minister Hurlburt would like to meet with councillors to discuss local municipal business with them. This meeting will take approximately 45 minutes and will be held at 2:00 p.m., in the Conference Room, in the Administrative Centre, in Barrington.

FCM Conference

Correspondence has been received regarding the FCM Conference to be held in Whistler, B.C. in early June of 2009.

It was suggested that two rooms be booked for the conference as Councillors El-Jakl and Stoddard expressed interest in attending.

Resolution C090123

Moved by S. Strang and seconded by C. O'Donnell that this matter be referred to Committee of the Whole for further discussion.

Motion carried unanimously.

SHELBURNE COUNTY FIGURE SKATING CLUB REQUEST

Correspondence has been received from the Shelburne County Figure Skating Club indicating that they will be having their annual closing carnival at the Barrington Municipal Arena. The figure skating club is requesting that the Municipality donate three hours of ice time on alternating years for the clubs closing ceremony at a current cost of \$339.00.

It has been the practice of Council not to provide free ice time to organizations at the Barrington Municipal Arena.

Resolution C090124

Moved by C. O'Donnell and seconded by S. Strang that Community Grants in the amount of \$339.00 be provided from District 4 and District 6 Community Grant Funds in the amount of 50% each to the Shelburne County Figure Skating Club.

Motion carried unanimously.

CORRESPONDENCE - SOUTH WEST HEALTH

Correspondence has been received by email today. In this correspondence Mr. Ron Horrocks has indicated that he has resigned as chair of the South West Nova District Health Authority. In his place Mr. Gerald Pottier will become chairman of the Authority.

NEW BUSINESS

Former Pizza Villa Property

The former Pizza Villa property at the Lower Causeway Plaza in Barrington Passage was purchased by the Municipality at Tax Sale in 2008. Council recently approved listing this property for sale. An offer has been received on the property in the amount of \$9,500.00 from Mr. Clifton Sears.

Resolution C090125

Moved by S. Strang and seconded by C. Stoddard that the Municipality accept the offer from Mr. Clifton Sears for the purchase of the former Pizza Villa property in the amount of \$9,500.00. The 9,500.00 includes any H.S.T. payable on the sale of the property. The Municipality will be responsible for the migration of the title and for associated legal fees.

Motion carried unanimously.

Consideration of Policy on Committees of Council

Notice had been given at a previous Council meeting that the adoption of a new policy on Committees of Council would be considered this evening. The proposed policy will replace existing By-Law No. 5 "Committees", By-Law No. 31 "Barrington Municipal Waterfront Development Committee" and Policy No. 45 "Community Health Care Advisory Committee". This policy will consolidate the operation of all committees under one uniform policy.

Resolution C090126

Moved by G. El-Jakl and seconded by S. Strang that the proposed policy on Committees of Council be approved as circulated.

Motion carried unanimously.

Consideration of Activities Funds Policy

A draft Activities Funds Policy was circulated to members. The notice had been provided at a previous Council meeting on December 15, 2008 that this policy would be considered by Council this evening.

Moved by G. El-Jakl and seconded by D. Messenger that the proposed draft Activities Funds Policy be approved as circulated.

There then followed some discussion regarding the purpose and use of this policy.

Resolution C090127

Moved by S. Strang and seconded by D. Messenger that consideration of the proposed Activities Funds Policy be deferred to the next meeting of Council.

AFFIRMATIVE

Louise Halliday
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard
Sean Strang

NEGATIVE

George El-Jakl

Motion carried.

Consideration of Code of Conduct Policy

Council had previously been given notice at their January 12, 2009 meeting that the Code of Conduct Policy would be considered by Council this evening. This Code of Conduct Policy is a policy that has been drafted and suggested by the Union of Nova Scotia Municipalities for all municipal units in the Province.

Resolution C090128

Moved by S. Strang and seconded by C. O'Donnell that the Code of Conduct Policy be approved as circulated.

Motion carried unanimously.

REPORT OF WARDEN

The Warden reported her attendance at the following activities during the previous two weeks:

- January 13, 2009 - Team Shelburne County
- January 14, 2009 - Physician Recruitment Committee
- January 15, 2009 - Planning Advisory Committee
- January 17, 2009 - South West Shore Development Authority Annual Planning Session
- January 20, 2009 - Roseway Hospital Charitable Foundation
- January 21, 2009 - South West Shore Development Authority Board Meeting

The Warden indicated during her review of the Roseway Hospital Charitable Foundation that the Municipality should also appoint an alternate to the Foundation in the event that she is unable to attend meetings.

Resolution C090129

Moved by S. Strang and seconded by G. El-Jakl that Donna LeBlanc-Messenger be appointed the alternate representative of the Municipality for the Roseway Hospital Charitable Foundation.

Motion carried unanimously.

During her report on the South West Shore Development Authority, the Warden reviewed the formation of the Oceans First Task Force and various further discussions regarding this committee.

Resolution C090130

Moved by C. O'Donnell and seconded by S. Strang that further discussion of the Oceans First Task Force be referred to Committee of the Whole.

Motion carried unanimously.

REPORT OF COUNCILLORS

Councillor O'Donnell

None.

Councillor El-Jakl

Councillor El-Jakl reported that he had attended the District Planning Commission Meeting in Argyle and that he had also attended the Planning Advisory Committee Meeting on January 15th.

Resolution C090131

Moved by G. El-Jakl and seconded by S. Strang that the schedule for the preparation of the Integrated Community Sustainability Plan and the schedule for the review of the Municipal Planning Strategy and Land Use By-Law be approved by Council as presented.

Motion carried unanimously.

Both the ICSP and the MPS and LUB review will be conducted during 2009 and be completed by the end of 2010 according to the schedule presented.

Councillor Stoddard

Councillor Stoddard informed members that she had attended the Planning Advisory Committee Meeting as well as the South West Shore Development Authority's Annual Planning Meeting.

Councillor Messenger

Councillor Messenger reported that the Western Shelburne County Health Care Charitable Society had received its approval as a charitable organization and would now be able to issue charitable receipts for income tax purposes.

Councillor Strang

Councillor Strang informed members that there had been a meeting relating to the fishing industry in the local area held at the Barrington Area Lions Club this past week. The Municipality had not received any invitation and therefore no members of Council had attended.

Councillor Strang also informed members that there is a Bay Side Home Board of Directors Meeting next Thursday which he will be attending. As a result he will not be able to attend the Shelburne County Industrial Commission Meeting scheduled for the same evening. His regrets will be sent to the Industrial Commission.

Committee of the Whole

Waste Collection Contract

Resolution C090132

Moved by S. Strang and seconded by C. O'Donnell that the Request for Proposals for the Collection and Transportation of Source Separated Solid Waste for the five year period beginning May 1, 2009 be approved by Council and advertised as soon as possible.

Motion carried unanimously.

Disposal of Surplus Property

The Province of Nova Scotia wishes to dispose of two small pieces of surplus property which were formerly part of Highway #3 near the Barrington Area Lions Hall.

Resolution C090133

Moved by S. Strang and seconded by C. Stoddard that the Municipality inform the Department of Transportation and Infrastructure Renewal that the Municipality is not interested in obtaining these surplus properties.

Motion carried unanimously.

Region 6 Budget

The Region 6 Solid Waste Management Committee has circulated their budget to all member units for their approval. The 2009/2010 budget for the fiscal year is \$171,073.00, of which \$66,000.00 is intended for education in the region.

Resolution C090134

Moved by S. Strang and seconded by G. El-Jakl that the proposed budget for Region 6 Solid Waste Management for the 2009/2010 fiscal year be approved in the amount of \$171,073.00.

Motion carried unanimously.

Shelburne Port Authority

Resolution C090135

Moved by S. Strang and seconded by C. O'Donnell that a letter of support be sent to the South West Shore Development Authority and copied to the Town of Shelburne indicating that Barrington Municipal Council supports the port expansion proposal for Shelburne Marine Terminal.

Motion carried unanimously.

Paving of Villagedale Road

Resolution C090136

Moved by S. Strang and seconded by C. O'Donnell that the Department of Transportation and Infrastructure Renewal be requested to use the pulverized asphalt removed from the Villagedale Road to improve the Lighthouse Road at Baccaro Point.

Motion carried unanimously.

Cost-Shared Paving of Subdivision Streets

Resolution C090137

Moved by S. Strang and seconded by D. Messenger that Municipal Staff gather further information including what was paid by residents from improvements on other roads, and that a map of the portion of McGray Avenue in question be obtained indicating who the property owners are along that section of the road, and that this information be provided at the next Council meeting so that Council could then consider whether or not to proceed with this project.

Motion carried unanimously.

The information that was requested to be provided to Council was then reviewed by Council members. This information included a summary of what was paid by residents of Cox/ Penney Road when their road was paved under this cost-sharing program, a map of the portion of McGray Avenue where paving is being requested and the property owners adjacent to this portion of McGray Avenue were indicated on the map.

Councillors then discussed and reviewed the information provided.

The Municipality has a Local Improvement By-law in place which is normally followed to initiate the paving of such roads. There has been no communication from two of the property owners whose property accesses this portion of McGray Avenue regarding any desire to have the road paved.

No further discussion took place regarding this matter.

Resolution C090138

Moved by S. Strang and seconded by G. El-Jakl that the Municipality pass the required motion as provided by the Department of Transportation and Infrastructure Renewal and enter into the agreement for cost-shared paving of subdivision streets. The resolution of Council required by the Department of Transportation and Infrastructure Renewal is: “that the Warden and the Municipal Clerk be authorized to sign Construction Agreement #2009-004 for the paving of subdivision streets”.

Motion carried unanimously.

Community Litter Clean-up Program

The Community Litter Clean-up Program is usually conducted prior to approval of the current year’s budget. As a result it is necessary to provide funding by resolution of Council for this program in advance of the budget.

Resolution C090139

Moved by S. Strang and seconded by G. El-Jakl that \$10,000.00 be included in the Municipality’s budget for the 2009/2010 fiscal year to fund a Community Litter Clean-up Program in the spring of 2009.

Motion carried unanimously.

REPORT OF CLERK-TREASURER

The Clerk provided a report of municipal employee activities for the month of December 2008.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:25 p.m.

Warden

Secretary for the Meeting

On website February 2, 2009.