

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers in the Administrative Centre, in Barrington, N.S., on Monday, July 26, 2010.

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 George El-Jakl
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Murray Atkinson
- Councillor Louise Halliday
- Councillor Shaun Hatfield
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard

- Brian Holland, Municipal Clerk

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Hatfield indicated he would declare a conflict of interest for the discussion of the matter involving paving of McGray Avenue since he is a resident of McGray Avenue.

Deputy Warden Messenger and Councillor Halliday indicated they would be declaring conflict of interest during the consideration of amendments to Policy No. 38 because their spouses operate businesses that use the C & D Landfill.

APPROVAL OF MINUTES

Moved by C. O'Donnell and seconded by C. Stoddard that the minutes of the last previous Council meeting held July 12, 2010 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Former Phillip Chetwynd Property

Members were informed that as a result of efforts of the By-Law Enforcement Officer and the Deputy Clerk the former Phillip Chetwynd property which has now been sold has been cleaned up by the new owner and enforcement of an Order under the Dangerous and Unsightly Premises Act will no longer be necessary.

Non-Metered Street Lights

Correspondence has been received from the Municipality of Argyle and the Region of Queens supporting the Municipality's position that the Union of Nova Scotia Municipalities be requested to take action in regards to the cost of non-metered street lights to municipal units across the province.

Mercury Lamp and Fluorescent Lamp Recycling Services

Information has been provided for the cost of recycling used mercury lamps and fluorescent lamps. Due to the significant cost of this service, it will not be pursued at this time as these lights are not presently banned from landfills.

North East Point Beach - Boardwalk and Look-off

Correspondence has been received from the Minister of Natural Resources indicating that if the Municipality wishes to pursue construction of an extension of the boardwalk and construction of a look-off at North East Point, they must pursue this development of new infrastructure with Mr. Allan Eddy who is the Acting Director of Parks and Recreation for the Department of Natural Resources.

Resolution C100711

Moved by S. Hatfield and seconded by D. Messenger that the Municipality contact Mr. Allan Eddy of the Nova Scotia Department of Natural Resources to determine the terms and conditions necessary for the extension of the boardwalk, and construction of a look-off at North East Point Beach, and invite him to come meet with Council to discuss this project.

Motion carried unanimously.

Poppy Tax Exemption

Correspondence was received from the Prime Minister's Office regarding this matter. In this correspondence he assures Council that the views expressed in their resolution have been carefully noted and this correspondence has been forwarded to Mr. James Flaherty, Minister of Finance, for further consideration.

Bridge at Quinn's Falls Road

Correspondence has been received from the Nova Scotia Minister of Transportation and Infrastructure Renewal indicating that their staff are in the process of obtaining the necessary environmental approvals to allow for the removal of the debris that has accumulated at the bridge. It is expected this work will be completed this summer or fall.

PRESENTATION - MARY AYER, MULTICULTURAL ASSOCIATION OF NOVA SOCTIA

Mrs. Mary Ayer appeared before the meeting for the purpose of discussing and making members aware of the Nova Scotia Multicultural Association. She informed members that there are many cultures represented within Shelburne County. At the present time there are several individuals wishing to form a multicultural association in Shelburne County. There have been several meetings in the past for this purpose however nothing as yet has developed. There must be at least ten (10) people willing to serve in order to form such an association. Mrs. Ayer suggested that councillors inform people and have them contact her for further information.

Resolution C100712

Moved by L. Halliday and seconded by D. Messenger that contact information be obtained from Mrs. Ayer and be put on the Municipality's website for the information of the public.

Motion carried unanimously.

Having completed her presentation, Mrs. Ayer then retired from the meeting.

CORRESPONDENCE

Canadian Postal Service Charter

Correspondence has been received from the Canadian Union of Postal Workers indicating that there are a number of issues they have with the Canadian Postal Service Charter, especially in regards to provision of rural service.

Resolution C100713/14

Moved by S. Hatfield and seconded by C. O'Donnell that:

WHEREAS the Canadian Postal Service Charter does not adequately protect the public interest or the public nature of our post offices, especially, when Canada Post is considering cuts to public postal service or privatizing parts of its operation (eg. post offices, call centres, etc.);

BE IT RESOLVED THAT the Municipality of the District of Barrington write a letter to Rob Merrifield, the Minister responsible for Canada Post, and ask that he:

1. Instruct Canada Post to stop cutting postal service and jobs and start acting like the public service corporation people want it to be.
2. Consult with the public, municipalities, members of parliament, postal unions and other major stakeholders to dramatically improve the Canadian Postal Service Charter.

AND ALSO THAT WHEREAS the gains flowing from postal modernization could be used to preserve and improve public postal services and jobs;

BE IT RESOLVED THAT the Municipality of the District of Barrington agrees to sign the Peoples Postal Declaration which calls on Canada Post to:

1. Share the benefits of postal modernization with people who own Canada Post, the public.
2. To pursue more socially responsible objectives as it transforms our post office for the future.

Motions carried unanimously.

CCME Municipal Waste Water Management Strategy

Correspondence has been received from the County of Annapolis regarding their concerns with the proposed Municipal Waste Water Management Strategy and proposed regulations under the Fisheries Act. The County of Annapolis has identified five issues relative to the Strategy and the proposed amendments.

Two of the main concerns expressed by the County of Annapolis were that the regulations contained in the Waste Water Management Strategy and in the Fisheries Act must be consistent and complimentary to each other.

There was also concern expressed that the proposed Fisheries Act regulations placed a burden of environmental monitoring on facility owners and on municipalities.

Resolution C100715

Moved by S. Hatfield and seconded by L. Halliday that the Municipality support the position of the County of Annapolis and request that the proposed Municipal Waste Water Management Strategy and the proposed regulations under the Fisheries Act have congruent regulations and there be no downloading of environmental monitoring to municipalities under the proposed Fisheries Act.

Motion carried unanimously.

Nova Scotia Gaming Corporation's 2009-10 Annual Report

The Annual Report from the Nova Scotia Gaming Corporation has been received and will be held in the Municipal Office for review of councillors. It was circulated to members this evening for their information.

Thank You Letters

Thank you letters have been received from the Archelaus Smith Museum and also from Juniper House for grants provided by the Municipality. It was also noted that the Archelaus Smith Museum is celebrating its 40th year of operation this year.

Resolution C100716

Moved by C. Stoddard and seconded by S. Hatfield that a certificate of recognition for their 40 years of operation be sent to the Archelaus Smith Museum from the Municipality and be presented to the Museum by the councillor for the area.

Motion carried unanimously.

REPORT OF COUNCILLORS

Deputy Warden Donna LeBlanc-Messenger

Deputy Warden Messenger gave a brief report of her activities since the last meeting of Council.

Councillor Cathy Stoddard

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

Councillor Cecil O'Donnell

Councillor O'Donnell gave a brief report of his activities since the last meeting of Council.

Councillor Murray Atkinson

Councillor Atkinson gave a brief report os his activities since the last meeting of Council.

Councillor Louise Halliday

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

Resolution C100717

Moved by L. Halliday and seconded by D. Messenger that the next Committee of the Whole Meeting review the policy regarding resolutions from committees being presented at Council.

Motion carried unanimously.

Councillor Shaun Hatfield

Councillor Hatfield gave a brief report of his activities since the last meeting of Council.

Waste Collection

There were three (3) recommendations brought forward from the June 15th Committee of the Whole meeting regarding waste collection. These recommendations concern the waste being picked up in the spring and fall clean-ups as well as an extra payment as a result of the 2010 spring clean-up.

Resolution C100718

Moved by S. Hatfield and seconded by M. Atkinson that all recommendations regarding the current waste collection agreement be deferred pending advice of the Municipal Solicitor regarding the negotiation of termination of the contract with the waste collectors.

Motion carried unanimously.

Shag Harbour Temperance Hall

Resolution C100719

Moved by S. Hatfield and seconded by L. Halliday that \$500.00 be granted from the District 2 Community Grants Fund to the Chapel Hill Historical Society in order to carry out electrical repairs to the Shag Harbour Temperance Hall where the Historical Society ordinarily meets.

Motion carried unanimously.

Wood's Harbour Do For Others Club

Resolution C100720

Moved by S. Hatfield and seconded by D. Messenger that a grant of \$500.00 be provided from the District 1 Community Grants Fund for cemetery maintenance at Greenwood Cemetery in Wood's Harbour to be done by the Wood's Harbour Do For Others Club.

AFFIRMATIVE

Murray Atkinson
George El-Jakl
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

Louise Halliday

Motion carried.

Sou'West Nova Metis Council

Resolution C100721

Moved by S. Hatfield and seconded by C. O'Donnell that a total of \$812.00 be provided from the Community Grant Funds of Districts 3, 4, 5, 6 and 7 for the purpose of deferring the cost of the Sou'West Nova Metis Council gathering to be held on Cape Sable Island this summer.

Motion carried unanimously.

Electrical Tenders

Resolution C100722

Moved by S. Hatfield and seconded by C. Stoddard that the Municipality issue a new tender for electrical services for the next three (3) year period beginning October 1, 2010.

Motion carried unanimously.

Cost Shared Paving of Hill Road and McGray Avenue

Conflict of Interest

Councillor Hatfield then declared conflict of interest and vacated his seat at the meeting table and proceeded to the public gallery.

Resolution C100723

Moved by D. Messenger and seconded by M. Atkinson that the Municipality cover any excess costs over and above the Department of Transportation's estimated cost of paving both Hill Road and McGray Avenue.

Motion carried unanimously.

Resolution C100724

WHEREAS the Municipality has received petitions from the residents of McGray Avenue and also from the residents of Hill Road, pursuant to By-Law No. 33, "Local Improvement By-Law";

AND WHEREAS pursuant to Section 81(1)(d) of the Municipal Government Act, Council may make by-laws imposing, fixing and providing methods of enforcing payments of charges for paying out, opening, constructing, repairing, improving and maintaining streets, curbs, sidewalks, gutters, bridges, culverts and retaining walls, whether the cost is incurred by the Municipality, directly, or pursuant to an agreement with Her Majesty in Right of the Province, the Minister of Transportation and Public Works, or any other person;

AND WHEREAS Council pursuant to Section 99(5) of the Municipal Government Act, will borrow \$36,050.00 from the Special Reserve Fund Operating for the purpose of paving 0.5 km. of McGray Avenue, and also will borrow \$15,600.00 from the Special Reserve Fund Operating for the purpose of paving 0.25 km. of Hill Road, both for a term of ten (10) years, or less, to be repaid in ten (10) equal annual installments, including interest, at a rate equal to the rate that the Municipality would pay to borrow these funds from another sources;

THEREFORE it is moved by C. O'Donnell and seconded by M. Atkinson that the Municipality approve an agreement with the Nova Scotia Department of Transportation & Infrastructure Renewal for the paving of 0.5 km. of McGray Avenue and 0.25 km. of Hill Road, under the terms of Agreement 2009-004;

AND FURTHER BE IT RESOLVED that the Municipality withdraw \$51,650.00 from the Special Reserve Fund Operating for the purpose of paying its share of the cost of paving McGray Avenue and Hill Road.

Motion carried unanimously.

Councillor Hatfield then returned to his seat at the meeting table.

Eastlink TV

Resolution C100725

Moved by S. Hatfield and seconded by L. Halliday that the Municipality not accept the proposal made by Eastlink Television regarding the production of council meetings for telecast.

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

George El-Jakl

Motion carried.

WARDEN'S REPORT

The Warden gave his report on his activities for the previous two weeks and also circulated the Annual Report received from the Shelburne County Business Development Centre.

REPORT OF CLERK-TREASURER

The Clerk-Treasurer provided a report on his activities and the activities of the Municipal Office during the month of June 2010.

NEW BUSINESS

C & D Landfill

Conflicts of Interest

Councillor Halliday and Deputy Warden Messenger both declared conflict of interest and vacated their seats at the meeting table and proceeded to the public gallery during this discussion.

Resolution C100726

Moved by C. Stoddard and seconded by M. Atkinson that the proposed amendments to Policy No. 38, "C & D Landfill Policy", that includes putting in place a tipping fee charge for mixed waste effective January 1, 2011 be approved as circulated.

Motion carried unanimously.

Councillor Halliday and Deputy Warden Messenger then returned to their seats at the meeting table.

Notice of Consideration of Amendments to Policy No. 22, "Use of Municipal Vehicles"

Members were given notice this evening that at a future meeting amendments to Policy No. 22, "Use of Municipal Vehicles" will be considered. These policy amendments will put in place an idling policy for municipal vehicles.

Legal Counsel

Members were informed that the Municipal Solicitor has been asked to represent both parties in the purchase of property from Carroll and Edith Knowles. The Municipality is purchasing this property for future public use.

Resolution C100727

Moved by C. O'Donnell and seconded by D. Messenger that the written agreement provided by the Municipal Solicitor enabling him to represent both the Knowles and the Municipality in this transaction be approved as requested.

Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 8:52 p.m.

Warden

Secretary for the Meeting

On website July 27, 2010.