

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, March 8, 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 Louise Halliday
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Murray Atkinson
- Councillor George El-Jakl
- Councillor Shaun Hatfield
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard

- 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 C. O'Donnell and seconded by C. Stoddard that the minutes of the last meeting held February 22, 2010 be approved as circulated.

Motion carried unanimously.

OPENING OF TENDERS RE: BARRINGTON BUSINESS PARK

Three (3) tenders were received for work at the Barrington Business Park. Work generally includes sewer extension on Highway #3, Sterling Road, reconstruction of Sterling's Road, and clearing, grubbing, mass excavation and embankment, sanitary sewer, crushed rock and asphalt pavement installation for the park.

As advertised, at 7:05 p.m. tenders were opened by the Warden and were as follows:

- | | |
|-------------------------------|-------------------------------|
| - Garian Construction Limited | \$942,559.18, including hst |
| - Aberdeen Paving Limited | \$792,921.45, including hst |
| - Amber Construction Limited | \$1,038,668.88, including hst |

Resolution C100301

Moved by G. El-Jakl and seconded by C. O'Donnell that the tenders be forwarded to MacDonnell Group for review and confirmation that tenders meet all requirements of the tender call and that the tender be awarded to the lowest tenderer.

Motion carried unanimously.

The Clerk informed members that based on the tender prices listed above, it will most likely be necessary that the project be scaled accordingly.

The legality of scaling back the project was questioned and it was agreed that the Municipal Clerk would consult with the Municipal Solicitor on this matter.

MATTERS ARISING FROM THE MINUTES

Invitation to MLA

MLA Sterling Belliveau was invited to meet with Council members to discuss various matters such as renal dialysis services, nurse practitioner, Yarmouth ferry services, etc. A meeting was scheduled to be held on March 29, 2010 but due to House of Assembly reconvening on March 25th, Mr. Belliveau will be unable to attend. He is asking that Council forward their concerns and issues in writing to his attention.

Resolution C100302

Moved by D. Messenger and seconded by C. Stoddard that MLA Sterling Belliveau be invited to meet with members of Council at his earliest convenience and that a letter be forwarded to him outlining topics of discussion.

Motion carried unanimously.

Satellite Dialysis Services

The Clerk informed members that correspondence has been received from Blaise MacNeil from South West Health which advised that he is not at liberty at this time to share a copy of the provincial plan submitted for provincial satellite services. The letter further advised that they would very much like to work with the Municipality to identify and build on the next steps of renal care in South West Health, and that following the approval of the current proposal they will begin discussions of those next steps.

The Clerk also informed members that correspondence has been received from the Kidney Foundation which once again advised that our request for their support for a satellite dialysis clinic in Barrington does not meet the mandate of the Foundation and unfortunately is unable to provide financial assistance for dialysis equipment or supplies.

Resolution C100303

Moved by S. Hatfield and seconded by C. Stoddard that a letter be sent to Cathy Blades, VP, Clinical Care, South West Health, advising her of our desire to have a satellite dialysis clinic opened in Barrington and inviting her to meet with members to discuss this matter and that she be advised that the establishment of such a clinic will also be discussed with our MLA.

Motion carried unanimously.

Bay Ferries Services out of Yarmouth

In advance to the meeting each member was provided with a copy of a letter received from the Minister of Economic Development regarding Bay Ferries services out of Yarmouth. The letter advised that the Province had originally subsidized the ferry service as a temporary measure in hopes that the decline in ridership would return to profitable levels. Unfortunately, this did not happen. The decision to cease funding was a difficult one as the Province is running in a substantial deficit. The Province is interested in exploring options for sustainable transportation links to Nova Scotia and have been participating in a transportation study for South West Nova Scotia and anticipates the results of that study soon.

CORRESPONDENCE

Renewable Energy

In advance to the meeting each member was provided with a copy of a letter from the Minister of Energy regarding renewable energy. The letter advised that Nova Scotia is building an aggressive renewable energy strategy and by 2015 it is their goal to have 25% of their electricity produced by renewable sources such as wind, tidal and biomass. This letter was presented for information purposes only.

Trust Fund for Clean Air and Climate Change

In advance to the meeting each member was provided with correspondence from USNM which stated that they are asking the Federal Government to support the refunding of the Trust Fund for Clean Air and Climate Change.

Resolution C100304

Moved by G. El-Jakl and seconded by S. Hatfield that a letter of support be forwarded for the refunding of the Trust Fund for Clean Air and Climate Change.

Motion carried unanimously.

REPORT OF WARDEN

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

Annual Shelburne County Firefighters Banquet

The Warden informed members that the Annual Shelburne County Firefighters Banquet will be held on March 20, 2010 at the Shelburne Legion Hall.

Councillors were asked to contact the Municipal Office should they wish to attend the banquet.

Recreation Nova Scotia Volunteer Awards

The Warden informed members that the 36th Annual Provincial Volunteer Awards Ceremony will be held on April 12, 2010, in Halifax. The Warden informed members that since there is a Council meeting scheduled for that evening, she will be unable to attend.

Councillors wishing to attend were asked to contact the Municipal Office.

REPORT OF COUNCILLORS

Deputy Warden Donna LeBlanc-Messenger

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

Councillor Cathy Stoddard

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

Councillor Cecil O'Donnell

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

Lighthouse Road

Councillor O'Donnell informed members that he met with Stuart Clare of the Department of Transportation on March 1, 2010 to view the Lighthouse Road located in Baccaro.

Mr. Clare has agreed to place the road on the District's priority list and forward to Halifax for consideration.

Councillor Shaun Hatfield

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

Councillor Murray Atkinson

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

Councillor George El-Jakl

Committee of the Whole Council

South West Shore Development Authority

Ombudsman Report

Resolution C100305

Moved by G. El-Jakl and seconded by S. Hatfield and carried:

WHEREAS the Provincial Ombudsman has issued a public report expressing concern over the relationship between the South West Shore Development Authority and the Yarmouth and Area Industrial Commission;

AND WHEREAS more legal investigations may be forthcoming involving the South West Shore Development Authority and the Yarmouth and Area Industrial Commission;

AND WHEREAS the South West Shore Development Authority and Yarmouth and Area Industrial Commission have both been involved in a public land deal with the Barrington Municipality over which citizens have raised questions;

AND WHEREAS this Council does not wish to obstruct the transparent flow of information related to any past or present dealings with the South West Shore Development Authority or the Yarmouth and Area Industrial Commission;

THEREFORE a letter be sent to the Nova Scotia Ombudsman to invite his assessment of any past or present municipal transactions involving the South West Shore Development Authority and/or the Yarmouth and Area Industrial Commission.

Shelburne Physician Recruitment Committee

Doctor Certification

Resolution C100306

Moved by G. El-Jakl and seconded by S. Hatfield that correspondence be sent to the Department of Health asking them to reduce the qualification processes that are necessary for the proper certification of doctors who are coming to Nova Scotia from Britain, Ireland and South Africa, as these qualification processes appear to be onerous at the present time.

Motion carried unanimously.

Physician Recruitment

Resolution C100307

Moved by G. El-Jakl and seconded by M. Atkinson that the Municipality notify the Shelburne Physician Recruitment Committee that they contact the Municipality when necessary to obtain financial and other assistance.

Motion carried unanimously.

Cape Sable Island Sewer Project

Resolution C100308

Moved by G. El-Jakl and seconded by C. O'Donnell that the Municipality proceed with the sanitary sewer survey as recommended by the Project Manager which will not include doing dye tests at various sites. It is proposed that the Municipality will advise the residents of the survey, advise of the time line and request their participation. The residents will also be advised that the individual findings will be kept confidential by CBCL Limited and that the overall results will be summarized to obtain an indication of the general conditions in each of the communities. The notice to residents would also indicate that scheduled site surveys may be requested. It is estimated that the survey will take about 5 weeks to complete at a cost of \$24,000.00.

Motion carried unanimously.

Department of Transportation Annual Program Count

Resolution C100309

Moved by G. El-Jakl and seconded by C. Stoddard that the Municipality not participate in the Department of Transportation Annual Program Count for the current year.

Motion carried unanimously.

North East Point Beach

Resolution C100310

Moved by G. El-Jakl and seconded by S. Hatfield that the Municipality send a letter to the Department of Natural Resources requesting the installation of washrooms and change rooms at North East Point Beach.

Motion carried unanimously.

It was agreed that a copy of this letter be forwarded to our MLA and also to Mr. Cecil Swimm who made the request.

Dr. Premachandra Incentive

Resolution C100311

Moved by G. El-Jakl and seconded by M. Atkinson that Dr. Premachandra be approached in order to define the terms that would be mutually beneficial to both the Municipality and himself in an Incentive Agreement for his services over the next four years.

Motion carried unanimously.

Tax Write-Off

Resolution C100312

Moved by G. El-Jakl and seconded by C. O'Donnell that the balance of business occupancy taxes in the name of D Nickerson Service Centre Limited in the amount of \$323.00, plus interest, be written off as uncollectible.

Motion carried unanimously.

Council Sound System

Resolution C100313

Moved by G. El-Jakl and seconded by D. Messenger that Municipal Staff investigate the price of lapel microphones for all members of Council and those addressing Council.

Motion carried unanimously.

Request from Constituent - South West Shore Development Authority

Resolution C100314

Moved by G. El-Jakl and seconded by S. Hatfield that a response be sent to the Ombudsman indicating that Council is inviting the Nova Scotia Ombudsman's Office to assess any past or present municipal transactions involving the South West Shore Development Authority and/or the Yarmouth and Area Industrial Commission.

Motion carried unanimously.

Resolution C100315

Moved by S. Hatfield and seconded by C. O'Donnell that the letter forwarded to Mr. Clyde Nickerson also be copied to councillors for their information and that the entire resolution be included in the letter.

Motion carried unanimously.

Former Murray Quinlan Property

Resolution C100316

Moved by G. El-Jakl and seconded by S. Hatfield that former residents of the Murray Quinlan property be contacted and asked to remove any of their personal belongings from that property by a specific date, after which the property will be cleaned up.

Motion carried unanimously.

2009 Tax Sale Properties

Certain properties purchased at Tax Sale on March 9, 2009 are not required for municipal purposes. Council does not wish to lease these properties and deems it to be in the best interest of the Municipality to sell these properties. It is therefore recommended that the following properties be advertised for sale, without warranty, "as is and where is" and that the purchaser bear all costs of surveys, legal and transfer fees:

- Assessment Account #08406995, formerly assessed to Leslie Chetwynd
- Assessment Account #03856291, formerly assessed to Murray Quinlan
- Assessment Account #08428654, formerly assessed to Elizabeth A. Nickerson
- Assessment Account #03513998, formerly assessed to Lisa Perry
- Assessment Account #04304411, formerly assessed to Basil Fenton Smith

Resolution C100317

Moved by G. El-Jakl and seconded by C. O'Donnell that the Municipality advertise for sale certain of those properties purchased at Tax Sale in 2009 listing them for sale and indicating in the listing the assessed value of those properties.

Motion carried unanimously.

Fire Chief's Committee

Resolution C100318

Moved by G. El-Jakl and seconded by M. Atkinson that Municipal Staff obtain information on independent consultants conducting a study of fire services within the Municipality and seek funding for such a study.

Motion carried unanimously.

Fire Departments

Resolution C100319

Moved by G. El-Jakl and seconded by C. O'Donnell that the Municipality provide letters to all the volunteer fire departments within the Municipality indicating that they are municipal bodies.

Motion carried unanimously.

REPORT OF CLERK-TREASURER

The Clerk-Treasurer gave a brief report on activities during the month of January 2010.

District Planning Commission

Members were informed that there will be a District Planning Commission Meeting held Wednesday, March 10, 2010. One item to be discussed at that meeting is the ICSP Planner's request for her employment to be extended by three (3) months.

This matter was briefly discussed by members.

Resolution C100320

Moved by S. Hatfield and seconded by M. Atkinson that the Municipality of Barrington honor the original contract entered into with the ICSP Planner to carry out the ICSP Plan and the review of the Municipal Planning Strategy and Land Use By-Law, and that members serving on the District Planning Commission not support an extension of her contract.

Motion carried unanimously.

NEW BUSINESS

Second Reading Taxi By-Law

Having reached the hour of 8:00 p.m. the second reading of By-Law No. 32, "Taxi By-Law" repeal was then dealt with.

The Warden informed members that Municipal Council was currently considering the repeal of By-Law No. 32, "Taxi By-Law", and invited comments from the public.

No written or oral presentations were made regarding the repeal of By-Law No. 32, "Taxi By-Law".

Resolution C100321

Moved by S. Hatfield and seconded by C. O'Donnell that By-Law No. 32, "Taxi By-Law", be repealed.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

Grant Request

It was reported that an application for a Community Grant has been received from the Parkdale Cemetery Association of Upper Port LaTour requesting a grant to assist with the cost of repairs to stones and topsoil for the cemetery.

Resolution C100322

Moved by C. O'Donnell and seconded by D. Messenger that the Parkdale Cemetery Association be provided with a grant in the amount of \$600.00 from the District 4 Community Grants Fund to assist with repairs to the cemetery.

Motion carried unanimously.

Notice of Consideration Re: Arena Policy

In advance to the meeting each member was provided with a re-drafted copy of the Arena Policy.

Notice is given tonight and consideration of the proposed amendments will take place at the next meeting of Council.

Consideration of Amendments to "Low Income Property Tax Exemption Policy"

It is proposed that the deadline for applications made under the "Low Income Property Tax Exemption Policy" be changed from May 31st to March 31st of each year. It is proposed that an exemption be made for 2010 allowing applications to be submitted up until the previous deadline of May 31st.

Resolution C100323

Moved by G. El-Jakl and seconded by C. Stoddard that Policy No. 41, "Low Income Property Tax Exemption Policy" be amended by changing the deadline for applications from May 31st to March 31st of each year and that an exemption be put in place this year allowing applications to be submitted up until May 31, 2010.

Motion carried unanimously.

Volunteer Nomination

Resolution C100324

Moved by G. El-Jakl and seconded by C. Stoddard that Crandel Nickerson be recognized as the Volunteer of the Year for the Municipality of Barrington for 2010.

Motion carried unanimously.

Member Resignation - SWSDA

It was reported that Council's representative serving on the South West Shore Development Authority has resigned his membership.

Much discussion took place regarding this matter and no interest was shown by other members to serve on this Board.

Resolution C100325

Moved by S. Hatfield and seconded by D. Messenger that a letter be forwarded to the South West Shore Development Authority advising that the Municipality does not wish to nominate a member to sit on the Board but wishes to receive minutes of meetings and correspondence, and the Municipality is still a member of that organization.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

Community Economic Development

Resolution C100326

Moved by S. Hatfield and seconded by M. Atkinson that a letter be forwarded to Warden Sherm Embree requesting an update on talks which have previously taken place by municipal units in Shelburne County regarding economic development.

AFFIRMATIVE

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

NEGATIVE

Louise Halliday

Motion carried.

Public Sorting Station

The Municipal Clerk is recommending that the Public Sorting Station be constructed in three (3) phases:

- Phase I - cement work
- Phase II - purchase steel and have installed
- Phase III - construction of roof

It is proposed that the first two phases be carried out in the current years' budget and that Phase III be carried out during next years' budget.

Resolution C100327

Moved by G. El-Jakl and seconded by C. Stoddard that the construction of a public sorting station at the C & D Landfill Site be approved and constructed in three (3) phases as indicated above subject to legal advice first being obtained.

Motion carried unanimously.

CLOSED SESSION OF COUNCIL

At this time a Closed Session of Council was held to deal with personnel matters.

The Regular Council Meeting was then called back to order.

YEARLY INCREMENTS

Glen Muise

Resolution C100328

Moved by C. Stoddard and seconded by D. Messenger that Glen Muise be granted his yearly increment effective February 11, 2010.

Motion carried unanimously.

Shelly Blinkhorn

Resolution C100329

Moved by C. Stoddard and seconded by C. O'Donnell that Shelly Blinkhorn receive her annual increment effective January 13, 2010.

Motion carried unanimously.

ADJOURNMENT

Moved by G. El-Jakl and seconded by C. O'Donnell that the meeting adjourn.

The meeting was adjourned at 9:10 p.m.

Warden

Clerk

Secretary for the Meeting

On website March 10, 2010.