

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, November 14, 2011.

The meeting was called to order by the Warden at 6:45 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
- Lesa Rossetti, Deputy Clerk

CLOSED SESSION OF COUNCIL

At 6:45 p.m. a Closed Session of Council was held to deal with personnel matters.

REPORT ON CLOSED SESSION

Re: Yearly Increment

Resolution C111101

Moved by D. Messenger and seconded by C. Stoddard that Anna Kenney, Recreation Director, be granted her yearly increment, effective October 15, 2011.

Motion carried unanimously.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Hatfield informed members that he would be declaring conflict of interest when dealing with correspondence from Tobeatic Stewardship Association since his brother has a hunting camp in Salmon River.

APPROVAL OF MINUTES

Moved by D. Messenger and seconded by M. Atkinson that the minutes of the last meeting of Council held October 24, 2011 be approved as circulated.

Motion carried unanimously.

PRESENTATION - STEVEN STODDART RE: GOVERNANCE

Mr. Steven Stoddart appeared before the meeting. He informed members that he had served the Municipality for twelve years as a councillor, warden and also the President of the Union of Nova Scotia Municipalities. Mr. Stoddart spoke on the two governance issues currently being considered by Council; size of Council, and Warden versus Mayor. He questioned the credibility of the survey due to the lack of information provided, and the fact that the survey could have been filled out by anyone, including non residents. Mr. Stoddart also requested that the question be put to the voter by way of ballot at the next municipal election.

In closing, Mr. Stoddart requested that Council take time to consider the issues thoroughly before making a final decision.

A copy of Mr. Stoddart's presentation is attached.

Mr. Stoddart was thanked for appearing before Council and making his presentation.

VEHICLE TENDER OPENING

Tenders were received for the supply of a 2012, 3/4 ton, 4 X 4 truck for the Property Services Department. The following tenders were opened by the Warden:

- Smith & Watt Ltd.	\$31,251.25, including H.S.T.
- Murray Motors, Yarmouth Ltd. Partnership	\$34,987.05, including H.S.T.
- Tuskett Sales & Service	\$36,394.05, including H.S.T.
- O'Regan's Chev, Buick, GMC, Cadillac Ltd.	\$41,170.00, including H.S.T.

Resolution C111102

Moved by D. Messenger and seconded by M. Atkinson that the Clerk review the tenders received for the supply of a 2012, 3/4 ton, 4 X 4 truck for the Property Services Department and a recommendation be brought back to Council for consideration.

Motion carried unanimously.

PRESENTATION - EDDIE NICKERSON RE: GOVERNANCE

Mr. Eddie Nickerson appeared before Council and presented a proposal consisting of six districts which offers a more even distribution of population. This proposal would allow for approximately 890 electors in each district.

Mr. Nickerson also expressed concern that the survey recently circulated by the Municipality did not contain enough information on the difference between a mayor and a warden.

Mr. Nickerson suggested that the decision to elect a mayor at large, as recommended by the Committee of the Whole, is being made too quickly and that further consideration is required.

A copy of Mr. Nickerson's presentation is attached.

Mr. Nickerson was thanked for appearing before Council and making his presentation.

PRESENTATION - CECIL SWIMM RE: GOVERNANCE

Mr. Cecil Swimm appeared before the meeting and expressed his concern regarding the two governance issues currently being considered by Council. Mr. Swimm asked: "Is our current system failing to provide the best leadership possible?", "Why are we under pressure to make a decision without the necessary information?" Mr. Swimm expressed concern that the survey recently circulated in the Municipality did not contain enough information for residents to make an informed decision. Mr. Swimm suggested that there be a ballot question at the next municipal election along with a full disclosure by an impartial person.

Resolution C111103

Moved by L. Halliday and seconded by S. Hatfield that Mr. Swimm be permitted to continue with his presentation after having reached the allotted time.

Motion carried unanimously.

A copy of Mr. Swimm's presentation is attached.

Mr. Swimm was thanked for appearing before Council and making his presentation.

COMMITTEE RECOMMENDATIONS

Councillor Louise Halliday

Councillor Halliday reported on Committee Recommendations.

Governance Survey

Moved by S. Hatfield and seconded by M. Atkinson that the Municipality reduce the number of councillors to five (5) in the future, with a corresponding restructuring of five (5) municipal units, two (2) on the Island and three (3) on the mainland, and that the Municipality have a mayor elected at large by the public.

Moved by C. Stoddard that the above motion be amended by removing the reference to a mayor.

Point of Order was called by Councillor Hatfield since the proposed amendment changes the intent of the motion.

The Warden declared that the original motion will be dealt with as presented.

Moved by O'Donnell that the above motion be deferred to the Committee of the Whole for further discussion.

There being no seconder, the motion was declared lost.

The original motion as presented to Council was then put to a vote.

AFFIRMATIVE

Murray Atkinson
Shaun Hatfield
Cecil O'Donnell

NEGATIVE

George El-Jakl
Louise Halliday
Donna LeBlanc-Messenger
Cathy Stoddard

Motion defeated.

Moved by S. Hatfield and seconded by M. Atkinson that the number of members of Council be reduced to four, plus a mayor, in keeping with the results of the survey.

AFFIRMATIVE

Murray Atkinson
Shaun Hatfield
Cecil O'Donnell

NEGATIVE

George El-Jakl
Louise Halliday
Donna LeBlanc-Messenger
Cathy Stoddard

Motion defeated.

Resolution C111104

Moved by C. Stoddard and seconded by D. Messenger that the Municipality reduce the number of councillors from seven (7) to five (5) in the future with corresponding restructuring of five (5) municipal districts; two (2) on the island, and three (3) on the mainland.

Motion carried unanimously.

Resolution C111105

Moved by S. Hatfield and seconded by M. Atkinson that the Committee of the Whole consider whether a plebiscite should be held at the next municipal election to determine whether the Municipality should have a mayor or warden.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Tabled Motion Re: Goose Lake Road

The Clerk informed members that at the last meeting of Council a motion was tabled that the Property Services Department be requested to inspect the condition of the Goose Lake Road and report back to the next Council meeting.

Conflict of Interest

Deputy Warden Donna LeBlanc-Messenger declared conflict of interest, vacated her seat and proceeded to the spectator area. Deputy Warden Messenger owns property in the Goose Lake area.

Since that meeting Mr. Franklin Hubbard of Goose Lake was provided with a copy of the Local Improvement By-Law.

It should be noted that only the first kilometer of the Goose Lake Road is municipally owned. The remainder of the road is privately owned.

The tabled motion was then brought forward.

“Moved by C. O’Donnell and seconded by S. Hatfield that the Property Services Department be requested to inspect the condition of the Goose Lake Road and report back to the next Council meeting.”

AFFIRMATIVE

Cecil O’Donnell

NEGATIVE

Murray Atkinson

George El-Jakl

Louise Halliday

Shaun Hatfield

Donna LeBlanc-Messenger

Cathy Stoddard

Motion defeated.

Deputy Warden Messenger returned to her seat.

By-Law Enforcement Officer

The Clerk informed members that Angie Chetwynd has withdrawn her application for the position of By-Law Enforcement Officer. Her application was previously approved by Council, but approval from the Department of Justice has not yet been received.

SPCA Animal Shelter

In advance to the meeting each member was provided with a copy of a letter received from the Minister of Agriculture regarding our request to have an SPCA shelter established in the Municipality of Barrington. The Minister suggested that contact be made with the Provincial Office of the SPCA.

Correspondence has also been received from the Nova Scotia SPCA which indicated a willingness to discuss animal issues in the Municipality of Barrington.

It was suggested that copies of these letters be provided to the animal groups should they wish to pursue the establishment of an animal shelter in the Municipality of Barrington.

Resolution C111106

Moved by S. Hatfield and seconded by C. O'Donnell that the *Animals in Need* group and the *Feral Cats of Barrington Municipality* group be provided with copies of letters received from the Minister of Agriculture and the Nova Scotia SPCA.

Motion carried unanimously.

Kidney Dialysis Service

In advance to the meeting each member was provided with a copy of a letter received from the Minister of Health and Wellness regarding kidney dialysis services. The Minister advised that a review committee has assessed critical and urgent priorities regarding renal services in Nova Scotia and developed recommendations for improving and enhancing dialysis services. Recently, a decision was made to approve funding for 12.5 RN positions for satellite dialysis units across the Province, estimated at \$988,000.00 annually.

Crow's Neck Beach

Residents have expressed concern regarding access to Crow's Neck Beach. Previously, residents accessed the beach by crossing private property. Recently, this private property has been gated off to the public.

At the request of Council, correspondence was forwarded to Nova Scotia Nature Trust to determine how they access the beach. Correspondence has now been received from them advising that their access to the beach is by way of an old road located on the southern end of the property. Nova Scotia Nature Trust has advised that access is always available for the public to access the beach on foot.

CORRESPONDENCE

West Head Harbour Authority

Correspondence has been received from the Harbour Authority of West Head which advised that they are currently looking into the purchase of a trailer and truck to service a haul-out for boats that need repairs, steamboat inspections, or for storage. The project will be partially funded by grant monies and the Authority is requesting a letter of support from Council.

Resolution C111107

Moved by M. Atkinson and seconded by C. O'Donnell that the Municipality of Barrington provide a letter of support to the Harbour Authority of West Head for their proposed project to purchase a trailer and truck to service a haul-out for boats.

Motion carried unanimously.

Speed and Safety Issue

Correspondence has been received from Reginald Goodwin expressing concern regarding the speeding traffic in the Barrington area in the vicinity of the Old Woolen Mill. Mr. Goodwin asked when speed limits were going to be enforced.

Resolution C111108

Moved by D. Messenger and seconded by C. Stoddard that the correspondence received from Reginald Goodwin of Barrington be referred to the RCMP and they be asked to increase their presence in the Barrington area.

Motion carried unanimously.

During discussion of Mr. Goodwin's correspondence it was noted that he made reference to a 30 kilometer speed zone in the area of concern but it was noted that the actual posted speed limit in that area is 50 kilometers per hour.

Resolution C111109

Moved by S. Hatfield and seconded by L. Halliday that correspondence from Mr. Reginald Goodwin also be forwarded to the Department of Transportation and they be asked to review the possible inconsistencies in speed limits in that area.

Motion carried unanimously.

Resolution C111110

Moved by C. Stoddard and seconded by D. Messenger that the RCMP be invited to meet quarterly with Council or Committee of the Whole to discuss various matters of concern.

Motion carried unanimously.

Resolution C111111

Moved by L. Halliday and seconded by D. Messenger that a letter be forwarded to Mr. Reginald Goodwin acknowledging his concerns and informing him of the action taken by Council.

Motion carried unanimously.

Nova Scotia Vital Signs 2011

The Clerk informed members that the Community Foundation of Nova Scotia has provided a copy of Nova Scotia's Vital Signs. The report provides information on population, poverty rates, health and wellness statistics, etc. A copy of the report will be kept in the Municipal Office for easy access by councillors.

Tobeatic Stewardship Association

Conflict of Interest

Councillor Hatfield declared conflict of interest, vacated his seat and proceeded to the spectator area. Councillor Hatfield's brother has a hunting camp in Salmon River which is part of the area the Nova Scotia Government plans to designate as a "protected area".

In advance to the meeting each member was provided with a copy of a letter received from Bruce Gates, President of the Tobeatic Stewardship Association. Mr. Gates expressed concern with the newly purchased J. D. Irving land to the north of the village of Kemptville and the plan the Nova Scotia Government has to make it into another protected area. Mr. Gates advised that with more and more crown land being protected in Southwest Nova Scotia, it is making it very difficult for outdoor enthusiasts like the traditional hunters, fishermen, trappers, as well as ATVers and snowmobilers to find places to go. Mr. Gates is requesting a letter of support from Council and help in lobbying the Nova Scotia Government to abandon any plan of making this land a protected area.

Resolution C111112

Moved by M. Atkinson and seconded by C. O'Donnell that the Tobeatic Stewardship Association be provided with a letter of support for their request that the Nova Scotia Government abandon any plan of making the land to the north of the village of Kemptville a protected area.

Motion carried unanimously.

Councillor Hatfield returned to the meeting.

REPORT OF WARDEN

The Warden reported on his activities since the last meeting of Council. He also reported that he has received the following correspondence which was turned over to the Municipal Clerk:

- Correspondence from the Royal Canadian Mounted Police and a copy of their 2010/2011 Year in Review
- Correspondence from the Maritime Lumber Bureau
- Correspondence from the Canadian Federation of Independent Business
- Correspondence from the Premier regarding the Irving Shipbuilding Contract

CONTINUATION OF REPORT OF COUNCILLORS

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

Policy No. 33 “Policy Re: Returning Officer”

It is proposed that changes be made to the policy, Re: Returning Officer, to change the wording so that the fees paid to the Returning Officer and to other elected officials hired by the Municipality be established by resolution of Council rather than by policy.

Resolution C111113

Moved by C. O’Donnell and seconded by M. Atkinson that notice of consideration of amendments to Policy No. 33, “Policy Re: Returning Officer”, be given.

Motion carried unanimously.

Proposed amendments to Policy No. 33 “Policy Re: Returning Officer” will be considered at the next meeting of Council.

Proposed Fees for Election Officials

Resolution C111114

Moved by C. Stoddard and seconded by C. O’Donnell that the following proposed fees for Election Officials be approved pending the amendment of Policy No. 33.

- | | |
|-----------------------------|-----------------------------------|
| - Returning Officer | \$5,000.00 |
| - Deputy Returning Officers | \$130.00 each |
| - Poll Clerks | \$110.00 each |
| - Poll Staff Training | \$45.00 for each training session |
| - Hall Rental | \$100.00 |

Motion carried unanimously.

2012 Capital Projects

Resolution C111115

Moved by D. Messenger and seconded by M. Atkinson that a Request for Proposal for engineering services for the construction of sidewalks in Barrington Passage be issued in the near future in order to obtain engineering services for this purpose.

Motion carried unanimously.

By-Law No. 9, "Peace, Order, Mischief and Nuisances"

Moved by S. Hatfield and seconded by C. O'Donnell that municipal employees update the Municipality's current By-Law No. 9 bringing the language of the by-law up to date and including a reference to the Protection of Property Act.

Moved by S. Hatfield and seconded by C. O'Donnell that the above motion be amended to include a general reference to the Protection of Property Act and the Criminal Code of Canada.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

The amended motion reads as follows:

Resolution C111116

"...that municipal employees update the Municipality's current By-Law No. 9 bringing the language of the by-law up to date and including a general reference to the Protection of Property Act and the Criminal Code of Canada."

The original motion as amended was then put to a vote and carried.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

Resolution C111117

Moved by L. Halliday and seconded by C. Stoddard that having reached the hour of 10:00 p.m. members continue with the agenda until it is finished.

Motion carried unanimously.

Community Health Centre Apartment Rental

Resolution C111118

Moved by C. Stoddard and seconded by C. O'Donnell that a rental rate of \$500.00 per month be set for the apartment at the Community Health Centre to be charged to the doctor who will be renting the apartment beginning December 1, 2011.

Motion carried unanimously.

C.S.I. Sewer Project Re: Gas Tax Restrictions

Information had previously been circulated to members concerning the funding of the C.S.I. Sewer Project. Because the C.S.I. Sewer Project was funded by the Building Canada Fund there is a restriction on the Federal Government Funding allowed to be used for this project. The total Federal Funds spent on the project are not allowed to exceed 50% of the total eligible project costs. The restriction would not have been exceeded had the project been completed; however, since the project is not completed, the Federal portion of funds spent on the project now exceeds 50%. The total eligible project costs are \$209,526.00. This means that the maximum Federal contribution allowed at 50% is \$104,763.00. The combined Federal Funding on the project from both the Building Canada Fund and the Federal Gas Tax Funds is \$156,651.00. This means there is an excess of \$51,888.00 in Federal Funds spent on the project. It is proposed that Gas Tax Funds of \$51,888.00 be returned to Reserves and that this \$51,888.00 be taken from the unrestricted funds in the Special Reserve Fund Capital.

Resolution C111119

Moved by C. O'Donnell and seconded by S. Hatfield that the Municipality transfer \$51,888.00 from the unrestricted funds in the Special Reserve Fund Capital to the funds reserved for Gas Tax, and that Service Nova Scotia be informed of this transfer in order to comply with the Federal Funding restrictions placed on this project under the Building Canada Fund.

Motion carried unanimously.

Policy 46 Tax Reduction - Sable Fish Packers Ltd.

Resolution C111120

Moved by S. Hatfield and seconded by C. O'Donnell that a reduction of \$2,148.67 be provided to Sable Fish Packers Ltd. for the 300 day period from May 26, 2011 to March 31, 2012 as a result of the fire that occurred on their premises on May 26, 2011.

Motion carried unanimously.

Councillor Cecil O'Donnell

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

Deputy Warden Donna LeBlanc-Messenger

Deputy Warden Messenger gave a brief report on her 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 Shaun Hatfield

Councillor Hatfield gave a brief report on his 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.

NEW BUSINESS

Holiday Greeting

The Warden informed members that Eastlink TV will be producing holiday greetings with local leaders, partners, and volunteers, once again this year. It was noted that the Warden participated in the holiday greetings last year.

Resolution C111121

Moved by L. Halliday and seconded by S. Hatfield that the Warden be authorized to once again take part in the Eastlink TV Holiday Greetings on behalf of the Municipality, should he so wish.

Motion carried unanimously.

It was agreed that contact be made with Eastlink to arrange a time.

Festival of Lights

Correspondence has been received from Anna Kenney, Recreation Director, requesting that the Warden or a Council member extend Seasons Greetings on behalf of the Municipality at the Festival of Lights celebrations, Thursday, December 1, 2011.

It was agreed that Councillor Murray Atkinson would attend on behalf of the Municipality.

Physical Activity Coordinator

The Clerk informed members that correspondence has been received from Lisa Landry, Physical Activity Coordinator, resigning from her position, effective November 18, 2011.

Resolution C111122

Moved by C. Stoddard and seconded by L. Halliday that the Municipality once again advertise for applications for the position of Physical Activity Coordinator.

Motion carried unanimously.

Roof Tenders Re: Treatment Plants and Robertson Building

The tenders received for roofing projects for the Treatment Plants and the Robertson Building have now been reviewed by the Property Services Manager. It is his recommendation that both tenders be awarded to Garian Construction Ltd., being the lowest tenderer.

Resolution C111123

Moved by S. Hatfield and seconded by M. Atkinson that the tenders received from Garian Construction for the roofing projects for the Treatment Plants and the Robertson Building be approved.

Motion carried unanimously.

ADJOURNMENT

The regular Council meeting was temporarily adjourned in order to hold a Nominating Committee Meeting.

RECONVENED

The regular Council meeting was reconvened.

COMMITTEE AND BOARD APPOINTMENTS

Resolution C111124

Moved by L. Halliday and seconded by D. Messenger that due to the fact that it is getting more and more difficult to acquire a quorum, and interest seems to be waning, that Council discontinue the Community Health Care Advisory Committee until such time as they feel it should be put back in place.

Motion carried unanimously.

Resolution C111125

Moved by L. Halliday and seconded by C. O'Donnell that a letter be forwarded to all members of the Community Health Care Advisory Committee thanking them for their participation.

Motion carried unanimously.

Resolution C111126

Moved by D. Messenger and seconded by C. Stoddard that the proposed list of committee membership be approved as presented.

Motion carried unanimously.

Membership list attached.

ADJOURNMENT

Moved by C. Stoddard that the meeting adjourn.

The meeting was adjourned at 10:55 p.m.

Warden

Clerk

Secretary for the Meeting

On website November 17, 2011.