

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, February 13, 2012.

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 with the exception of Councillor Cecil O'Donnell.

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

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

Councillor Cecil O'Donnell was absent due to health reasons.

LEAVE OF ABSENCE

The Warden informed members that Councillor O'Donnell is requesting a leave of absence for four weeks, effective February 13, 2012, due to health reasons.

Resolution C120201

Moved by S. Hatfield and seconded by M. Atkinson that Councillor Cecil O'Donnell be granted a four weeks leave of absence due to health reasons, effective February 13, 2012.

Motion carried unanimously.

DECLARATION OF CONFLICT OF INTEREST

Deputy Warden Donna LeBlanc-Messenger informed members that she would be declaring conflict of interest when dealing with the recommendation from the Committee of the Whole regarding the request from Dr. Kim Mailman for dental offices at the CED Centre.

APPROVAL OF MINUTES

Moved by C. Stoddard and seconded by M. Atkinson that the minutes of the last meeting of Council held January 23, 2012 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Barrington Passage Sidewalk Engineering Proposals

The Clerk informed members that as directed by Council, Barrington Passage Sidewalk Engineering Sidewalk Proposals have been reviewed. It is the recommendation of staff that the proposal received from ABL Environmental Ltd., in the amount of \$60,050.00, plus HST, to do the engineering design and construction inspection for the Barrington Passage sidewalks, be accepted.

Resolution C120202

Moved by D. Messenger and seconded by M. Atkinson that the proposal received from ABL Environmental in the amount of \$60,050.00, plus HST, for engineering design and construction inspection of the Barrington Passage Sidewalks be accepted.

Motion carried unanimously.

Some discussion then took place regarding whether the sidewalk should be asphalt or cement. It was agreed that this matter would be further investigated at a later date since the approval tonight was for engineering services only.

Woodland Multi-Use Trail Association

As requested by Council at their last meeting, contact has been made with Service Nova Scotia & Municipal Relations to determine whether Gas Tax Funds can be used for trail development as proposed by the Woodland Multi-Use Trail Association. Correspondence has now been received indicating that assets must be owned by the Municipality and that license agreements do not meet the requirements to access Gas Tax Funds.

VARIANCE APPEAL

The Development Officer was present for this portion of the meeting to answer any questions that may arise.

The Development Officer received a variance request from Dixons Boatbuilders Limited to reduce the required side yard on their property located in Wood's Harbour from thirty (30) feet to twenty (20) feet. The variance was requested to allow them to build an addition on an existing building. The request was approved by the Development Officer on January 18, 2012. As required by the Municipal Government Act, the Development Officer gave notice, in writing, of the variance to every assessed owner whose property was located within thirty (30) meters of the applicant's property. Assessed owners were advised that they have the right to appeal the decision of the Development Officer to Council.

Appellants, Darrell Stoddard and Rosalie Stoddard, were given an opportunity to address Council to express their concerns.

Janine Goodwin, General Manager of Dixons Boatbuilders Ltd., was given an opportunity to address Council.

Appellants, Allen and Amelie Daykin, were scheduled to appear before Council this evening to express their concerns but failed to attend.

Written appeals from all appellants are attached as well as a copy of the presentation made by Janine Goodwin on behalf of Dixons Boatbuilders Limited.

During the presentation made by Darrell Stoddard reference was made to survey lines.

Resolution C120203

Moved by C. Stoddard and seconded by D. Messenger that the Development Officer be permitted to address Council to answer questions regarding survey lines.

Motion carried unanimously.

The Development Officer informed members that plans and drawings were received from Garian Construction and the Land Use By-Law was administered based on those documents. After measuring, it was determined that there was only a twenty (20) foot clearance between the proposed building and the boundary line of the adjoining property. The Land Use By-Law requires a clearance of thirty (30) feet, and therefore it was necessary for the variance to be granted. The Development Officer informed members that when the applicant signs a Building Permit, the applicant is guaranteeing information on the permit to be correct, including boundary lines.

As required by the Municipal Government Act, once the variance was issued all abutting property owners within thirty (30) meters were notified of the variance and their right to appeal.

Moved by D. Messenger and seconded by L. Halliday that the variance request be forwarded to the Municipal Solicitor for review before a decision is made.

Moved by S. Hatfield and seconded by M. Atkinson that the above motion be amended indicating that if the Solicitor sees no problem with the variance, then the variance be granted.

AFFIRMATIVE

Murray Atkinson
George El-Jakl
Shaun Hatfield
Louise Halliday

NEGATIVE

Donna LeBlanc-Messenger
Cathy Stoddard

Motion carried.

The amended motion now reads:

Resolution C120204

"...that the variance request be referred to the Municipal Solicitor for review and should the Solicitor see no problem with the variance, then the variance be granted."

Motion carried unanimously.

Rosalie Stoddard requested another opportunity to address Council.

Resolution C120205

Moved by D. Messenger and seconded by L. Halliday that Rosalie Stoddard be permitted to once again speak on the variance matter.

Motion carried unanimously.

Mrs. Stoddard indicated that she wanted to provide clarification to Council that Bradford Stoddard paid for their boundary line to be surveyed not Dixons Boatbuilders Limited as indicated in their presentation to Council.

Mrs. Stoddard was thanked for the clarification.

The Development Officer then retired from the meeting.

CORRESPONDENCE

No correspondence.

REPORT OF WARDEN

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

NEW BUSINESS

Returning Officer

The Warden asked for the Clerk's recommendation as to who should be hired for the position of Returning Officer for the upcoming municipal elections.

The Clerk informed members that as a result of an advertisement being placed in the Coast Guard Newspaper, three applications were received. Applications were received from Cathy Clark, Sherry Sears and Cindy Nickerson. The Clerk informed members that Cindy Nickerson has no experience acting as Returning Officer. Sherry Sears has experience, and has carried out municipal elections in the past, and Cathy Clark has experience, and carried out the most recent municipal election.

The Clerk informed members that it would be his recommendation to hire Cathy Clark since she carried out the 2008 municipal elections for the Municipality and would be most familiar with the current requirements of the Municipal Elections Act and procedures.

Resolution C120206

Moved by S. Hatfield and seconded by D. Messenger that the recommendation of the Municipal Clerk to hire Cathy Clark as Returning Officer for the 2012 municipal elections be accepted.

Motion carried unanimously.

Notice of Consideration of Amendments to Purchasing Policy

Notice was given that consideration of amendments to the Purchasing Policy will take place at the next meeting of Council. Each member was provided with a copy of proposed amendments.

Consideration of Amendments - Arena Policy Re: Non-Ice Rentals

At the last meeting of Council, notice was given that consideration of amendments to the Arena Policy regarding non-ice rentals would take place this evening. It is proposed that a new paragraph be inserted under the heading "Rental Rates (non-ice times)":

"Any request for rental of the entire Arena for any significant event shall be considered by Council on an individual basis, at which time the rental rate shall be established (excluding wrestling and ball hockey)."

Resolution C120207

Moved by D. Messenger and seconded by C. Stoddard that proposed amendments to the Arena Policy regarding Non-Ice Rentals be approved as presented.

AFFIRMATIVE

Murray Atkinson
Shaun Hatfield
Donna LeBlanc-Messenger
Cathy Stoddard

NEGATIVE

George El-Jakl
Louise Halliday

Motion carried

1688 PROFESSIONAL LOBSTER FISHERMEN ASSOCIATION

James Mood, Steven Goreham, Tina Sears and Erica Smith of 1688 Professional Lobster Fishermen Association appeared before the meeting. Mr. Mood acted as spokesperson for the group. The Association currently has approximately 700 members.

Mr. Mood explained that the Association is trying to:

1. Get a fair price for his product.
2. Establish a mega seafood facility.

Mr. Mood informed members that he has been in discussion with Calvin Butler, Planning and Development Officer of the Department of Economic and Rural Development and Tourism and he is currently working on a business plan for the Association. Mr. Mood informed members that the Association will be meeting with MLA Sterling Belliveau on Friday, and based on discussions with the Federal Government, there is money available for Shelburne County for economic development. Mr. Mood informed members that his group is requesting municipal property at Forbes Point for the development of a mega seafood plant.

Resolution C120208

Moved by C. Stoddard and seconded by D. Messenger that having reached the end of the time allotted for Mr. Mood's presentation, that he be permitted to continue.

Motion carried unanimously.

Discussion then centered around the process for the group to acquire municipal land at Forbes Point. Reference was made to Council Policy No. 12 "Sale of Municipal Property".

Mr. Mood was also made aware that Council at their meeting held May 24, 2011 passed the following motion:

"...that pending clear and positive confirmation, in writing, of financial support from our MLA and MP, as well as provisions of a viable business plan, the Municipality of Barrington look further into the viability of supporting this seafood project as presented to the Committee of the Whole by James Mood on May 16, 2011 for the sake of bringing jobs to our community."

Mr. Mood was advised that once the required information is received, Council will further consider his request.

Mr. Mood and members of the 1688 Professional Lobster Fishermen Association were thanked for appearing before Council and making their presentation.

REPORT OF COUNCILLORS

Councillor Murray Atkinson

Councillor Atkinson reported on Committee Recommendations.

Evergreen Cemetery Request

Resolution C120209

Moved by C. Stoddard and seconded by D. Messenger that a grant of \$1,365.00 be provided from the District 7 Community Grants Fund to the Evergreen Cemetery for the purpose of painting the building and installing two new small windows.

Motion carried unanimously.

Resolution C120210

Moved by L. Halliday and seconded by D. Messenger that *Community Grants* be placed on the next Committee of the Whole Council agenda for further discussion.

AFFIRMATIVE

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

NEGATIVE

Murray Atkinson

Motion carried.

Bantam C Provincial Championships

Resolution C120211

Moved by D. Messenger and seconded by C. Stoddard that the Municipality pay for a half page advertisement in the Bantam C Provincial Championships program at a cost of \$100.00.

Motion carried unanimously.

Tax Write-Off

Resolution C120212

Moved by D. Messenger and seconded by C. Stoddard that the mobile home formerly assessed in the name of Corbett Blades, which has now been removed from the Assessment Roll by Property Valuation Services Corporation, be written off in the amount of \$677.07, principal, plus applicable interest of approximately \$340.00 as the account is deemed uncollectible.

Motion carried unanimously.

Seal Island Light

Resolution C120213

Moved by D. Messenger and seconded by C. Stoddard that an application for 75% funding from the Province and 25% funding from the Municipality be made to the Nova Scotia Department of Economic and Rural Development and Tourism for refurbishment of the Seal Island Light.

Motion carried unanimously.

Resolution C120214

Moved by S. Hatfield and seconded by D. Messenger that the Municipality transfer \$17,000.00 from this year's budget to next year's budget and add \$4,250.00, for a total of \$21,250.00, as the Municipality's share of the cost of refurbishing the Seal Island Light.

Motion carried unanimously.

Dr. Yee Funding Request

Resolution C120215

Moved by M. Atkinson and seconded by C. Stoddard that as an incentive the Municipality pay half the rental cost of Dr. Germanus office and that this commitment be reviewed at the end of each year based on the current economic circumstances of the Municipality at that time.

Motion carried unanimously.

Bay Side Home Board of Directors

As a result of the letter received from Councillor Murray Atkinson, resigning from his position on the Board of Directors of Bay Side Home there are currently three (3) vacancies existing on the Board.

Resolution C120216

Moved by D. Messenger and seconded by S. Hatfield that the Municipality advertise for a third member for the Board of Directors of Bay Side Home Corporation.

Motion carried unanimously.

Liberal Party Meeting in Liverpool

Moved by S. Hatfield and seconded by D. Messenger that the Liberal Party be informed that no councillor from the Municipality will be able to attend their meeting on February 1, 2012, and that it be recommended to Council that the leader of the Liberal Party be invited to meet with Municipal Council, in Barrington, to discuss municipal issues for this area.

Moved by S. Hatfield and seconded by L. Halliday that the above motion be amended to replace the word "will" in the first line with the word "was".

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C120217

"...that the Liberal Party be informed that no councillor from the Municipality was able to attend their meeting on February 1, 2012 and that the Leader of the Liberal Party be invited to meet with Municipal Council, in Barrington, to discuss municipal issues for this area."

Motion carried unanimously.

Dr. Mailman Request - Dental Office, CED Centre

Conflict of Interest

Deputy Warden Donna LeBlanc-Messenger declared conflict of interest, vacated her seat and proceeded to the spectator area. Deputy Warden Messenger's husband has been contracted by Dr. Mailman.

Moved by C. Stoddard and seconded by M. Atkinson that the Municipality contribute up to \$15,000.00 toward the cost of renovations of the former South West Shore Development Authority offices to accommodate dental offices and not charge rent for approximately three months during the period of renovations as an incentive to assist Dr. Mailman establishing a dental office in the Municipality based on past practices for incentives for health care professionals.

Councillor Halliday questioned whether the Municipality has received comments from the Municipal Solicitor as it relates to the above motion.

The Clerk informed members that no written response has yet been received from the Municipal Solicitor.

Moved by L. Halliday that the above motion be tabled until the advice of the Municipal Solicitor has been received.

There being no seconder to the motion, the motion was declared lost.

The original motion was then put to a vote.

AFFIRMATIVE

Murray Atkinson
Donna LeBlanc-Messenger
Cathy Stoddard

NEGATIVE

George El-Jakl
Louise Halliday
Shaun Hatfield

Motion defeated.

Resolution C120218

Moved by C. Stoddard and seconded by M. Atkinson that Dr. Kim Mailman not be charged rent for a three month period to give him an opportunity to have renovations carried out.

AFFIRMATIVE

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

NEGATIVE

Shaun Hatfield

Motion carried.

Deputy Warden Messenger returned to her seat.

Wheelchair Accessible Heated Area for the Arena

Resolution C120219

Moved by S. Hatfield and seconded by D. Messenger that the Municipality apply for funding from Service Nova Scotia to assist with the cost of having a wheelchair accessible heated area at the Arena.

Motion carried unanimously.

Shelburne County Figure Skating Club Request

Resolution C120220

Moved by C. Stoddard and seconded by M. Atkinson that grants be provided in the following amounts:

- District 3 Community Grants Fund, \$129.00
- District 4 Community Grants Fund, \$200.00
- District 6 Community Grants Fund, \$200.00

for a total of \$529.00 to the Shelburne County Figure Skating Club to pay for the cost of ice time for their closing ceremonies to be held at the Barrington Municipal Arena.

Motion carried unanimously.

Resolution C120221

Moved by C. Stoddard and seconded by M. Atkinson that the Municipality respond to the Shelburne County Figure Skating Club indicating that each year their request for funding towards their closing event for the Club will be considered on an individual basis by Council.

Motion carried unanimously.

BMHS Request

Resolution 120222

Moved by S. Hatfield and seconded by M. Atkinson that a letter be sent to Barrington Municipal High School congratulating the seven students and coach who have been selected to compete as part of Team Nova Scotia at the inaugural Nike High School Track and Field Grand Prix, and informing them that the Municipality will provide funding in the amount of \$200.00, pursuant to the Municipality's Activities Funds Policy, and suggesting to them that they consult with MLA Belliveau to obtain the provincial funding available.

Motion carried unanimously.

Lobster Industry

Resolution C120223

Moved by S. Hatfield and seconded by C. Stoddard that the Municipality support any attempts by local organizations to increase the price of lobsters being paid to local fishers and also support their efforts to find new markets for lobsters.

Motion carried unanimously.

PC Meeting

Resolution C120224

Moved by C. Stoddard and seconded by D. Messenger that the Municipality invite the Leader of the Nova Scotia Progressive Conservative Party to come to the Municipality of Barrington and meet with Council to discuss the challenges facing municipalities, towns and villages in Nova Scotia today.

Motion carried unanimously.

Joint Police Advisory Committee

Resolution C120225

Moved by L. Halliday and seconded by M. Atkinson that Warden El-Jakl continue to serve on the Joint Police Advisory Committee to the end of Council's term in October 2012.

Motion carried unanimously.

Elections Nova Scotia

Resolution C120226

Moved by C. Stoddard and seconded by M. Atkinson that the Warden and Clerk-Treasurer be authorized to enter into an information sharing agreement with Elections Nova Scotia for the purpose of obtaining and exchanging elections information.

Motion carried unanimously.

Dr. Yee Request

Moved by M. Atkinson that the Municipality respond favorably to the request of Dr. Yee and purchase two desktop computers for Dr. Germanus.

There being no seconder to the motion, the motion was declared lost.

Resolution C120227

Moved by D. Messenger and seconded by M. Atkinson that the request from Dr. Yee for two desktop computers for Dr. Germanus be referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

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.

Deputy Warden Donna LeBlanc-Messenger

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

Councillor Louise Halliday

Councillor Halliday informed members that she attended a meeting of the Police Advisory Board. At that meeting she learned that training is required for members serving on the Board, and since no training is scheduled in the near future she has stepped down from this position.

It was reported that correspondence has been received from the Roseway Hospital Charitable Foundation accepting Louise Halliday's resignation from the Charitable Foundation. It was noted that Deputy Warden Messenger will represent the Municipality on the Charitable Foundation.

CONTINUATION OF NEW BUSINESS

Consideration of Amendments - Draft Municipal Fire Inspections Policy

The Clerk informed members that Notice of Consideration was given to Council on January 23, 2012 that tonight Council will consider the adoption of the Municipal Fire Inspections Policy.

Resolution C120228

Moved by S. Hatfield and seconded by M. Atkinson that the Municipal Fire Inspections Policy be approved as presented.

Motion carried unanimously.

ADJOURNMENT

Moved by C. Stoddard that the meeting adjourn.

The meeting was adjourned at 10:00 p.m.

Warden

Clerk

Secretary for the Meeting

On website February 15, 2012.