

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 9, 2012.

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 with the exception of Deputy Warden Donna LeBlanc-Messenger.

- Warden George El-Jakl
- Deputy Warden Donna LeBlanc-Messenger (7:00 p.m.)
- 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

A Closed Session of Council was held to deal with a personnel matter.

At 7:00 p.m. the Regular Council Meeting was called back to order, at which time Deputy Warden Donna LeBlanc-Messenger was present.

REPORT ON CLOSED SESSION

Resolution C120701

Moved by C. Stoddard and seconded by M. Atkinson that David Andrews, Building Inspector/Development Officer receive his annual increment effective July 12, 2012.

Motion carried unanimously.

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 Annual Council Meeting held June 25, 2012, and the Emergency Council Meeting held June 27, 2012, be approved as circulated.

Motion carried unanimously.

PRESENTATION - SAMANTHA REYNO, PHYSICAL ACTIVITY COORDINATOR

Samantha Reyno, Physical Activity Coordinator, appeared before Council. She distributed packages to each Council member providing information on the Vision Statement, Mission Statement, and goals and objectives. She explained that one of her goals is to provide more opportunities for physical activity where there are currently gaps.

She expressed concern regarding Section 16 of the Recreation Operating Policy as well as the fee structure outlined in Policy No. 6, "Policy Governing Use of Municipal Facilities" as it relates to programs initiated by the Recreation Department held at the Sherose Island Recreation Centre. She also requested Council to consider the adoption of a Healthy Eating Policy and a draft policy was provided for their review.

She informed members that the first draft of the Strategic Plan has been completed and copies will be made available to councillors upon request.

Miss Reyno was thanked for making her presentation to Council.

MATTERS ARISING FROM THE MINUTES

Gail Martin Property - Brass Hill

The Clerk informed members that at the request of Council a registered letter was sent to Gail Martin asking her once again to address the dangerous and unsightly condition of her property located at 130 Island View Drive, Brass Hill. Mrs. Martin was advised that failure to address this matter within 30 days would result in the Municipality contracting the services of a structural engineer. The cost to do so would be added to her tax account. Mrs. Martin was also advised that if the structural engineer deems that the property needs to be demolished then that will be carried out at her expense as well.

The Clerk informed members that the By-Law Enforcement Officer visited the property today, and advised that there is no change to the residence, and the grass is now approximately 3 feet high and turning gold/brown, posing a potential fire hazard.

Moved by D. Messenger and seconded by C. Stoddard, that as stated by Council earlier, a structural engineer be hired to determine if the house located at 130 Island View Drive, Brass Hill, is structurally sound.

The Municipal Clerk informed members that the Municipal Solicitor has suggested that the house be boarded up, and the cost added to the tax bill.

Resolution C120702

Moved by L. Halliday and seconded by D. Messenger that the above motion be tabled until after the second reading of By-Law No. 9, "Peace, Order, Mischief and Nuisances".

Motion carried unanimously.

NEW BUSINESS

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

The Clerk reported that the second reading of proposed amendments to By-Law No. 9, "Peace, Order, Mischief and Nuisances", has been duly advertised in the Coast Guard Newspaper. It is proposed that various changes be made to the by-law to update it.

The proposed by-law was then read by the Municipal Clerk with proposed amendments.

The Clerk informed members that Astrid Neumann and Nicole Nickerson have requested an opportunity to address Council regarding proposed amendments to By-Law No. 9.

Ms. Astrid Neumann addressed Council and expressed concern regarding the current noise level from Acadian Seaplants in Charlesville. Ms. Neumann informed members that in 2010 she started to hear the drone and whirling noise all summer long, and it has now escalated. Mrs. Neumann lives 2.3 kilometers away from the plant, and has recorded noise levels of 104.3 decibels, 96.4 decibels, 88.2 decibels, and 43.4 decibels, in her back yard.

Ms. Neumann informed members that she feels that the proposed By-Law No. 9 is inadequate, and feels that a more up-to-date descriptive by-law, quoting decibels, should be put in place.

Ms. Neumann was advised that previously Council considered a more up-to-date restrictive by-law, but it was not pursued due to concerns expressed by residents.

Mrs. Nicole Nickerson was then given an opportunity to address Council regarding proposed amendments to By-Law No. 9, "Peace, Order, Mischief and Nuisances". Mrs. Nickerson informed members that she agrees with the concerns expressed by Ms. Neumann and also expressed concern regarding the lights on the property. She informed members that the lights on the property are so bright that it makes driving in that area difficult and dangerous at night.

Mr. Marvin Stoddard then addressed Council and expressed concern regarding the noise level in the area. He lives next door to Acadian Seaplants and invited councillors to come to his property to experience the noise first-hand. He informed members that he is not in favor of shutting down Acadian Seaplants, but something needs to be done to address the noise level. He also expressed concerns regarding the lights.

Mr. Frank Malone then addressed Council. Mr. Malone suggested that Council meet with representatives of Acadian Seaplants to address the noise levels in the area.

Mrs. Debbie Stoddard then addressed Council and expressed concern regarding the constant drone coming from the Acadian Seaplants operation, and also expressed concern regarding the lights on the property creating a very dangerous situation.

Mrs. Florence Chetwynd, of Barrington, then addressed Council. She expressed concern regarding loud music played by her neighbor. Mrs. Chetwynd also expressed concern regarding some of the sections that were proposed to be deleted relating to loitering, etc. She felt that these sections should remain in place.

During discussion with residents from the Charlesville/Forbes Point area, it was noted that residents had previously discussed the matter with the Minister of Fisheries and Aquaculture.

Resolution C120703

Moved by S. Hatfield and seconded by M. Atkinson that second reading of By-Law No. 9, "Peace, Order, Mischief and Nuisances" be tabled and referred back to the Committee of the Whole Council for consideration, and that the Committee look at the possibility of having an objective decibel level for the purpose of continuous and ongoing noises included in the by-law.

Motion carried unanimously.

Resolution C120704

Moved by S. Hatfield and seconded by D. Messenger that a letter be sent to the Minister of Fisheries and Aquaculture highlighting the concerns expressed by citizens from Charlesville during their presentation to Council regarding the noise level at Acadian Seaplants, and asking whether there is something that can be done on behalf of those residents.

Motion carried unanimously.

Resolution C120705

Moved by S. Hatfield and seconded by D. Messenger that a letter be sent to the Department of Transportation asking that they assess the emitting of light from Acadian Seaplants, and look at what possible traffic hazard, if any, that poses at different hours of the day, especially at night.

Motion carried unanimously.

Resolution C120706

Moved by D. Messenger and seconded by L. Halliday that the Minister of Fisheries and Aquaculture, concerned citizens, Acadian Seaplants representatives and Council, meet to discuss concerns expressed by residents concerning the level of noise coming from the Acadian Seaplant operation.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES CONTINUED

Continuation of Gail Martin Property Matter

The dangerous and unsightly condition of property owned by Gail Martin, located at 130 Island View Drive, Brass Hill, was once again discussed. The motion made previously in the meeting was brought forward:

"Moved by D. Messenger and seconded by C. Stoddard that as stated by Council earlier, a structural engineer be hired to determine if the house located at 130 Island View Drive, Brass Hill, is structurally sound."

AFFIRMATIVE

Donna LeBlanc-Messenger
Cathy Stoddard

NEGATIVE

Murray Atkinson
George El-Jakl
Louise Halliday
Shaun Hatfield
Cecil O'Donnell

Motion defeated.

Much discussion took place regarding the dangerous and unsightly condition of the Gail Martin property.

Moved by S. Hatfield and seconded by M. Atkinson that an Order of Council be issued requiring the assessed owner, Gail Martin, to address the dangerous and unsightly condition of her property located at 130 Island View Drive, Brass Hill, Assessment Account #03061043, by securing the property by boarding up the doors and windows within Thirty (30) days from the date of the Order and failure to do so will result in the Municipality carrying out the required work, and the cost of doing so being added to the tax account.

Moved by C. O'Donnell and seconded by M. Atkinson that the above motion be amended to include lawn maintenance such as mowing grass and cutting alders.

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Cecil O'Donnell

NEGATIVE

George El-Jakl
Donna LeBlanc-Messenger
Cathy Stoddard

Motion carried.

The original motion, as amended, now reads as follows:

Resolution C120707

"...that an Order of Council be issued requiring the assessed owner, Gail Martin, to address the dangerous and unsightly condition of her property located at 130 Island View Drive, Brass Hill, Assessment Account #03061043, by securing the property by boarding up the doors and windows, and lawn maintenance such as mowing grass and cutting alders, within Thirty (30) days from the date of the Order, and failure to do so will result in the Municipality carrying out the required work, and the cost of doing so being added to the tax account.

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Cecil O'Donnell

NEGATIVE

George El-Jakl
Donna LeBlanc-Messenger
Cathy Stoddard

Motion carried.

NEW BUSINESS CONTINUED

RFP - Sherose Island Treatment and Collection System

The Clerk informed members that a Request for Proposals has been invited for the services of a consultant to determine if the sewage collection and treatment system located at Sherose Island is suitable to be upgraded, or should be decommissioned and replaced with an alternative system in order to meet the requirements of Nova Scotia Environment. Four submissions were received. Three were opened and reviewed publicly by the Clerk, Deputy Clerk and Property Services Manager, on July 5, 2012, at 3:15 p.m. One response was received in an unmarked, plain envelope, and was also emailed prior to the deadline date. This submission from CBCL Limited was not accepted since it did not meet the submission requirements. The other three proposals received met all requirements and are listed below:

- | | |
|---------------------|-----------------------|
| - SNC Lavalin | \$9,500.00, plus HST |
| - ABL Environmental | \$17,090.00, plus HST |
| - Hiltz & Seamone | \$18,000.00, plus HST |

It was recommended that the proposal submitted by SNC Lavalin for the evaluation of the sewage collection and treatment system at Sherose Island, in the amount of \$9,500.00 be accepted, and financed with funds from Gas Tax Reserves.

Resolution C120708

Moved by D. Messenger and seconded by C. Stoddard that the recommendation from Staff that the RFP received from SNC Lavalin for the evaluation of the sewage collection and treatment system at Sherose Island, in the amount of \$9,500.00, plus HST, be accepted and financed with funds from Gas Tax Reserves.

Motion carried unanimously.

CORRESPONDENCE

Thank You Letter

In advance to the meeting each member was provided with a copy of a letter received from Ian White of the Western Counties Regional Library thanking Council for their continued support of their Children's Summer Reading Club by providing passes to the Barrington Municipal Swimming Pool.

RCMP

The Warden has received correspondence from Craig Gibson, Superintendent, Sou'West Nova District, RCMP, advising that he has been promoted from his position as Officer in Charge and will be assuming a new position as the Commanding Officer "L" Division, PEI, in mid July 2012. The replacement Superintendent, Sylvie Bourassa-Muise, is expected to be in place by September 2012.

Resolution C120709

Moved by L. Halliday and seconded by M. Atkinson that a letter of thanks be forwarded to Mr. Craig Gibson thanking him for his services as Officer in Charge of Sou'West Nova District.

Motion carried unanimously.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

Councillor Cecil O'Donnell

Councillor O'Donnell reported on his activities since the last meeting of Council.

He also reported on the recommendations from the Committee of the Whole Council.

Alternate Route through Barrington Passage

Resolution C120710

Moved by M. Atkinson and seconded by D. Messenger that the Department of Transportation be requested to mow grass along the shoulder of the road, and remove encroaching bushes from the shoulder of the road in the Barrington area, and that a copy of this letter be sent to Mr. Francis Perry for his information.

Motion carried unanimously.

Resolution C120711

Moved by M. Atkinson and seconded by C. O'Donnell that the Woodland Trails Association be requested to consider constructing a multi-use trail along the former CNR right of way in the Barrington area as a future project.

Motion carried unanimously.

Grant Request

Barrington Ballfield Playground Society

Resolution C120712

Moved by D. Messenger and seconded by C. Stoddard that the Municipality provide a grant of \$2,500.00 to be matched by the Barrington Ballfield Playground Society for the purpose of completing construction of their playground.

Motion carried unanimously.

Queen's Diamond Jubilee Medal Program

Resolution C120712

Moved by D. Messenger and seconded by C. Stoddard that the Municipality nominate Alan Brannen for a medal under the Queen's Diamond Jubilee Medal Program.

Motion carried unanimously.

Graham Dixon Letter Re: Tender for Surplus Property

Resolution C120713

Moved by M. Atkinson and seconded by D. Messenger that the Municipality sell the former Chetwynd warehouse in Wood's Harbour, through East Bay Realty, and have it listed through the Multiple Listing Service.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

Resolution C120714

Moved by C. Stoddard and seconded by M. Atkinson that Mr. Graham Dixon be informed, by letter, that the Municipality has decided to sell the former Chetwynd warehouse property through a Real Estate agent in order to obtain fair market value for the property.

AFFIRMATIVE

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

NEGATIVE

George El-Jakl

Motion carried.

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

NEW BUSINESS CONTINUED

Registration - Barrington Ground Search & Rescue

The Clerk informed members that the Barrington Ground Search & Rescue Group submitted an application for registration as a Mutual Aid Fire Response and Emergency Service Provider under the Municipal Government Act. The application has been reviewed by the Fire Services Coordinator and it is his opinion that the Barrington Ground Search & Rescue meets the requirements in training and equipment to provide the services they have checked off in Schedule B, and therefore it is acceptable for Council to approve the application.

Resolution C120715

Moved by C. O'Donnell and seconded by L. Halliday that the application for registration as a Mutual Aid Fire Response and Emergency Service Provider under the Municipal Government Act, as filled out by the Barrington Ground Search & Rescue Group, be approved as recommended by the Fire Services Coordinator.

Motion carried unanimously.

Barrington Passage Sidewalk Update

The Clerk informed members that the Barrington Passage Sidewalk Project is progressing well. Phases II & III will be completed in the near future and work will then be concentrated on Phase I. Cobalt Properties has been contacted to obtain an easement to install the sidewalk at the approach to the Irving property since there is insufficient highway right of way remaining in that area due to the 3 lanes of traffic.

Certificate of Appreciation

It was reported that Michelle Swim of Cape Sable Island collected 50 bags of litter from the Causeway area.

Resolution C120716

Moved by D. Messenger and seconded by C. Stoddard that a Certificate be presented to Michelle Swim acknowledging her continued commitment to keeping our communities clean.

Motion carried unanimously.

It was agreed that this certificate be presented to Mrs. Swim at a future Council meeting.

Building Inspection Report

In advance to the meeting each member was provided with a Building Inspection Report for the year ended March 31, 2012. The report indicated that at year end 173 permits were issued totalling \$5,448,350.00. Only 132 permits were issued during the previous year for a total value of \$4,087,800.00.

Barrington Visitor Centre Stats Report

In advance to the meeting each member was provided with a Stats Report for the period May 16, 2012 to June 30, 2012. The report indicated that there were 101 less visitors to date compared to last year. The majority of visitors were from Nova Scotia looking for information about the local area, including museums, lighthouses, beaches and Cape Sable Island. US visitors were mostly passing through and looking for food service, or had rented a cottage. There are summer residents that use the Centre for information to send back to their families and friends. Several visitors were looking for property in the area.

ADJOURNMENT

Moved by C. O'Donnell that the meeting adjourn.

The meeting was adjourned at 9:40 p.m.

Warden

Clerk

Secretary for the Meeting

On website July 12, 2012.