

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, January 14, 2013.

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 Eddie Nickerson
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Jody Crook
- Councillor George El-Jakl
- Councillor Shaun Hatfield

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

The Warden informed members that the first item on the agenda is a Closed Session of Council to deal with personnel matters, and the Municipal Clerk has requested an opportunity to update members during the Closed Session regarding the former BMHS property.

Conflict of Interest

Warden Eddie Nickerson declared conflict of interest, vacated his seat, and proceeded to the spectator area. Warden Nickerson has declared conflict of interest due to his friendship with Mr. Ken Anthony, the owner of 30213686 Nova Scotia Limited.

The Deputy Warden assumed the chair.

CLOSED SESSION

A Closed Session of Council was held at this time to deal with personnel matters and to receive an update from the Municipal Clerk on the former BMHS property.

REPORT ON CLOSED SESSION

The employee evaluation for Cameron Whiteway, Property Services Manager, was presented to members.

Yearly Increment

Resolution C130101

Moved by J. Crook and seconded by S. Hatfield that Cameron Whiteway, Property Services Manager, receive his yearly increment, effective January 13, 2013.

Motion carried unanimously.

Former BMHS Property

Resolution C130102

Moved by J. Crook and seconded by G. El-Jakl that the Municipality direct the Municipal Solicitor to allow the legal action to be amended as requested regarding the former BMHS property located in Barrington Passage.

Motion carried unanimously.

Warden Nickerson then returned to the chair.

Continuation of Closed Session of Council

Resolution C130103

Moved by D. Messenger and seconded by G. El-Jakl that the Council return to Closed Session at the end of the meeting to further discuss the former BMHS property.

Motion carried unanimously.

DECLARATIONS OF CONFLICT OF INTEREST

Warden Nickerson informed members that he will once again declare conflict of interest when Council meets in Closed Session to deal with the former BMHS property.

APPROVAL OF MINUTES

Moved by G. El-Jakl and seconded by D. Messenger that the minutes of the Regular Council Meeting held December 10, 2012 and the minutes of the Special Council Meeting held December 19, 2012 be approved as circulated.

Motion carried unanimously.

QUEEN ELIZABETH II DIAMOND JUBILEE MEDAL

Council had nominated former councillor, Cecil O'Donnell, for consideration of the Queens Diamond Jubilee Medal Award. The nomination was accepted by the Governor General of Canada and the Jubilee Medal has been provided to the Municipality. The Warden presented the Queen Elizabeth II Diamond Jubilee Medal award to Cecil O'Donnell.

MARILYN GOREHAM RE: COMPLETION OF WOODS HARBOUR SIDEWALK

Marilyn Goreham, Anne Goreham and Phil Williams appeared before the meeting and requested that the Woods Harbour sidewalk be completed. Mrs. Goreham informed members that in November of 2009 Council committed an amount up to \$167,000 from municipal funds for the completion of the sidewalk project contingent upon funding approval being obtained from other sources. In 2010, further contact was made by Mrs. Goreham at which time she was notified that the Municipality continues to seek funding for the completion of the project, although to date other sources of funding have not been found. Mrs. Goreham indicated that they have been more than patient, and they are now requesting that the sidewalk project be completed. Mrs. Goreham is now requesting that the Woods Harbour sidewalk be completed using Gas Tax Funds.

Moved by G. El-Jakl and seconded by D. Messenger that having exceeded the time allotted for this topic, that Council continue to discuss this matter until completed.

Motion carried unanimously.

Much discussion took place regarding this matter.

Moved by G. El-Jakl and seconded by D. Messenger that the Woods Harbour Sidewalk Project be finished and that \$167,000 as previously committed by Council by Resolution C091103 be taken from the Operating Reserve Fund, and additional funding be taken from the Gas Tax Fund.

Moved by G. El-Jakl and seconded by D. Messenger that the above motion be amended to proceed with the project as long as it does not exceed \$750,000 maximum.

AFFIRMATIVE

Jody Crook
George El-Jakl
Donna LeBlanc-Messenger

NEGATIVE

Shaun Hatfield
Eddie Nickerson

Motion carried.

The motion as amended now reads:

Resolution C130104

"... that the Woods Harbour Sidewalk Project be finished and that \$167,000 as previously committed by Council by Resolution C091103 be taken from the Operating Reserve Fund, and additional funding be taken from the Gas Tax Fund, as long as the total project cost does not exceed \$750,000, maximum."

AFFIRMATIVE

Jody Crook
George El-Jakl
Donna LeBlanc-Messenger

NEGATIVE

Shaun Hatfield
Eddie Nickerson

Motion carried.

Warden Eddie Nickerson turned the chair over to the Deputy Warden and left meeting.

Warden Nickerson returned to the meeting and apologized for leaving.

Warden Nickerson turned the chair back over to the Deputy Warden and left the meeting to attend to an emergency at home.

BAILEY CAMERON RE: REQUEST FOR FUNDING - JUNIOR GIRLS NATIONAL TEAM BASEBALL PROGRAM

Langille Dixon, Bailey Cameron and Wayne Cameron appeared before the meeting. Members were advised that Bailey Cameron will be attending the Junior Girls National Team Baseball Program, in Cuba, on February 17 - 24, 2013. Bailey is the only girl from Nova Scotia to be accepted to participate on this national team at an international level. Bailey is requesting assistance to help fund her trip.

Resolution C130105

Moved by S. Hatfield and seconded by J. Crook that \$200.00 be provided to Baseball Canada to be designated to Bailey Cameron to assist with the cost of her trip to attend the Junior Girls National Team Baseball Program in Cuba.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Seal Island Light Restoration Project - Tabled Motion

The Clerk informed members that at the December 10, 2012 Council meeting, the following motion was tabled:

"...that the Municipality pay the Province of Nova Scotia's portion of the restoration cost up to a maximum of \$21,700, subject to there being no favorable response received from the Department of Economic and Rural Development and Tourism by December 21, 2012, or at the end of the extension period should one be approved by ACOA to sign the Letter of Offer."

After some discussion it was agreed by the mover and seconder that the above motion be withdrawn.

Minor Hockey Request - Tabled Motion

The Clerk informed members that at the December 10, 2012 Council meeting the following motion was tabled:

"Moved by D. Messenger and seconded by S. Hatfield that the Municipality give permission to Shelburne County Minor Hockey to locate a Nova Scotia webcam at the Barrington Municipal Arena."

This motion was tabled subject to information being received from the Municipal Solicitor regarding the installation of a webcam at the Barrington Municipal Arena.

The Clerk informed members that information has been received from the municipal insurance company suggesting that an agreement be put in place to clarify the responsibility and requirements of the equipment, which listed a number of items to be included in such an agreement.

The Clerk also reported that he has received a response from the Municipal Solicitor. He is in agreement with the insurers.

Moved by S. Hatfield and seconded by J. Crook that the above motion be amended to provide for an agreement as per the direction of the Municipal Solicitor in order to allow a webcam to be installed at the Arena.

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C130106

"...that the Municipality give permission to Shelburne County Minor Hockey to locate a Nova Scotia webcam at the Barrington Municipal Arena, subject to a written agreement being put in place as per the direction of the Municipal Solicitor."

Motion carried unanimously.

Canada Post Community Mailbox Set-up Fee

The Clerk informed members that a reply has been received from Canada Post in response to our letter objecting to the Community Mailbox Fee being imposed upon developers. The letter advised that in the past Canada Post has absorbed the considerable cost of installing mail equipment across Canada, including CMBs in new developments and connecting it to their expanding delivery network. The letter advised that new residential and commercial developments add about 150,000 mailing addresses every year which increases Canada Post costs by millions of dollars a year for installation and other costs. They can no longer afford to absorb these costs. The sharing of a portion of the cost of setting up CMBs is now necessary to allow Canada Post to maintain the high level of service that Canadians have come to expect, while helping to ensure the corporation does not become a drain on the taxpayers of Canada.

CORRESPONDENCE

Gate and Public Access to Sand Hills Provincial Park

An email has been received from Dean Nickerson of Barrington requesting Council to discuss with the Department of Natural Resources the possibility of allowing vehicle access to Sand Hills Park during off season. He is suggesting that maybe the current locked gate could be moved closer to the present parking area.

Resolution C130107

Moved by J. Crook and seconded by G. El-Jakl that the Municipality contact the Department of Natural Resources to make them aware of Dean Nickerson's request, and ask why the gate preventing entry to Sand Hills Park in the off season is at its current location.

Motion carried unanimously.

WMTA - Wood's Harbour to Doctor's Cove Multi-Use Trail

Warden Eddie Nickerson returned to the meeting.

In advance to the meeting each member was provided with a copy of a letter received from the Woodland Multi-Use Trail Association requesting a grant of \$18,000 to complete the development plan and current activities of a multi-use trail from Woods Harbour to Doctor's Cove.

Resolution C130108

Moved by S. Hatfield and seconded by D. Messenger that the grant requested from the Woodland Multi-Use Trail Association for \$18,000 to complete the multi-use trail from Woods Harbour to Doctor's Cove, be approved, and funds be taken from the Gas Tax Funds.

Motion carried unanimously.

WMTA - Barrington Bay Trail to Clements Pond to Port Clyde Trail

In advance to the meeting each member was provided with a copy of a letter received from the Woodland Multi-Use Trail Association advising that they anticipate that their next project will be to complete the Municipality of Barrington trail system by constructing a trail during 2014 connecting the Barrington Bay Trail to the Clements Pond to Port Clyde Trail. The projected new trail will be connected to their recently constructed trail at Doctor's Cove by the Barrington Bay Trail. The Association is requesting that the Municipality continue to consider the conversion of the rest of the Barrington Bay Trail to motorized use.

Moved by S. Hatfield and seconded by D. Messenger that the Woodland Multi-Use Trail Association be advised that it is our intent to make Barrington Bay Trail accessible for ATV use, however, we would like to do it in a way to slow traffic and to fully respect pedestrians.

Moved by S. Hatfield and seconded by D. Messenger that the above motion be amended to state that it is very important to the Municipality of Barrington to have public consultation regarding restrictions on the Barrington Bay Trail.

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C130109

"...that the Woodland Multi-Use Trail Association be advised that it is our intent to make Barrington Bay Trail accessible for ATV use, however, we would like to do it in a way to slow traffic and to fully respect pedestrians, and it is very important to the Municipality of Barrington to have public consultation regarding restrictions on the Barrington Bay Trail."

Motion carried unanimously.

Resolution C130110

Moved by G. El-Jakl and seconded by D. Messenger that having reached the hour of 10:00 p.m. that the meeting continue until all agenda items have been dealt with.

Motion carried unanimously.

Resolution C130111

Moved by G. El-Jakl and seconded by D. Messenger that information be obtained from various municipal units regarding trail use and regulations.

Motion carried unanimously.

Woods Harbour/Shag Harbour Volunteer Fire Department Loans

Correspondence has been received from the Woods Harbour/Shag Harbour Volunteer Fire Department advising that they will be moving their finances from the Royal Bank of Canada to the Canadian Imperial Bank of Commerce, and plan to consolidate two outstanding loans. One loan belongs to the Woods Harbour Volunteer Fire Department in the amount of \$132,011.40, and the other loan belongs to the Shag Harbour/Bear Point Volunteer Fire Department in the amount of \$27,783.37.

The Woods Harbour/Shag Harbour Volunteer Fire Department is requesting the Municipality to guarantee their loan in the amount of \$159,794.77, as of February 28, 2013.

Resolution C130112

Moved by G. El-Jakl and seconded by D. Messenger that the Municipality of Barrington guarantee the Woods Harbour/Shag Harbour Volunteer Fire Department outstanding loan of \$159,794.77, and that the Warden and Clerk be authorized to sign the resolution once it is received from Service Nova Scotia and Municipal Relations.

Motion carried unanimously.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

Councillor Hatfield reported on recommendations from Committee of the Whole Council.

Cost Shared Paving of J-Class Roads

Resolution C130113

Moved by S. Hatfield and seconded by D. Messenger that the Municipality submit Smith's Lane to the Department of Transportation for the cost shared paving of J-Class subdivision streets for 2013-2014.

Motion carried unanimously.

Regional Waste Management Budget

Resolution C130114

Moved by D. Messenger and seconded by G. El-Jakl that the Region 6 Solid Waste Management Budget for the 2013/14 fiscal year be approved as presented.

Motion carried unanimously.

Region 6 Solid Waste Management - Alternate Member

Resolution C130115

Moved by S. Hatfield and seconded by J. Crook that Deputy Warden Messenger be appointed the alternate representative for the Region 6 Solid Waste Management Committee.

Motion carried unanimously.

Meeting Agendas

Resolution C130116

Moved by G. El-Jakl and seconded by J. Crook that the following amendments be made to meeting procedures on a trial basis for the next six months:

1. Meeting agenda will be circulated on the Tuesday prior to each meeting.
2. Members will be encouraged to make their motions, in writing, and motions that have been made will be read back to the members during the meeting before voting on the motion.
3. There will be two committee meetings held; one each on the 2nd and 3rd Monday of each month, and a council meeting will be held once a month on the 4th Monday of each month.
4. Only emergency additions will be permitted to the agenda for meetings after written agenda has been circulated.
5. These amendments will begin with the meetings in February 2013 and continue for a six month trial period after which the procedure will be reassessed.

Motion carried unanimously.

Provincial Electoral Boundaries

Resolution C130117

Moved by G. El-Jakl and seconded by J. Crook that:

1. Council approve the letter drafted to be sent to the Leader of the Provincial Liberal Party and the Leader of the Progressive Conservative Party requesting either party if they should form the government in the future to revert back to the previous situation where Shelburne County has its own MLA, providing all of the municipal units in Shelburne County agree to have their mayors and wardens sign this letter.

OR

2. If all of the municipal units in the County do not wish to sign the letter, then the Municipality of Barrington will send a letter to the leaders of both parties expressing the wish to have the MLA for Shelburne County reinstated, with copies of the letter being sent to the other municipal units in the County.

Motion carried unanimously.

Property Tax Exemption for Low Income Earners

Resolution C130118

Moved by S. Hatfield and seconded by G. El-Jakl that the amounts to be included in the property tax exemption for low income earners for the 2013-2014 fiscal year be \$150.00, at a threshold income of \$21,500.00, or less.

Motion carried unanimously.

The required policy amendment will be drafted and presented at a subsequent meeting of Council.

Seal Island Light

The Province has agreed to contribute \$21,375.00 towards the restoration of the Seal Island Light. It is now proposed that the Municipality sign the ACOA Letter of Offer and increase their contribution to \$21,375.00 to match the contribution of the Province.

Resolution C130119

Moved by D. Messenger and seconded by G. El-Jakl that funding for the restoration of the Seal Island Light be approved in the amount of \$21,375 from the Municipality, and that the Municipality authorize the Warden and the Clerk-Treasurer to enter into an agreement with the Atlantic Canada Opportunities Agency for the purpose of restoration of the Seal Island Light.

Motion carried unanimously.

Council Office

Resolution C130120

Moved by G. El-Jakl and seconded by J. Crook that the Clerk-Treasurer make arrangements for the use of an office in the Municipal building for the use of councillors.

Motion carried unanimously.

McGill's Road, Upper Clyde

Resolution C130121

Moved by D. Messenger and seconded by J. Crook that it be determined if McGill's Road is a Department of Transportation Road, and if it is the Department of Transportation will be asked by letter to initiate repairs to the road.

Motion carried unanimously.

The Clerk informed members that McGill's Road is a road which is owned by the Department of Transportation.

Councillor George El-Jakl

Councillor El-Jakl gave a brief report on his activities since the last meeting of Council.

NEW BUSINESS

Lobster Quota

The Warden informed members that after discussing the matter with MP Gerald Keddy and LFA 34, he is suggesting that a letter opposing the suggested lobster quota not be sent at this time.

It was agreed by members that no letter be sent at this time.

CLOSED SESSION

Due to the lateness in the hour, the Closed Session regarding the former BMHS property update will be held at the Special Meeting of Council on Wednesday, January 16, 2013.

ADJOURNMENT

Moved by D. Messenger that the meeting adjourn.

The meeting was adjourned at 10:50 p.m.

Warden

Clerk

Secretary for the Meeting

On website January 17, 2013.