

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 25, 2013.

The meeting was called to order by the Warden at 6:45 p.m.

CLOSED SESSION

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

Members then returned to Open Session of Council.

MOMENT OF SILENCE

A moment of silence was held in recognition of the terrible tragedy involving five (5) fishermen from Woods Harbour who were recently lost at sea.

ROLL CALL

The Clerk reported that all councillors representing all districts of Municipality were present:

- Warden Lindsay (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

REPORT ON CLOSED SESSION

Employee Evaluation

The employee evaluation for Lesa Rossetti, Deputy Clerk, was presented to members.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Jody Crook informed members that he would be declaring conflict of interest when dealing with the pension plan for councillors.

Deputy Warden Donna LeBlanc-Messenger informed members that she would be declaring conflict of interest when dealing with the Goose Lake Road.

Warden Eddie Nickerson informed members that he would be declaring conflict of interest when dealing with the pension plan for councillors.

APPROVAL OF MINUTES

Moved by S. Hatfield and seconded by J. Crook that minutes of the Regular Council Meeting held January 28, 2013, and the Special Council Meeting held February 11, 2013, be approved as circulated.

Motion carried unanimously.

CERTIFICATE OF RECOGNITION - MORGAN MESSENGER

The Clerk informed members that an email was received today advising that Mr. Messenger was unable to attend tonight's meeting.

SECOND READING - PROPOSED AMENDMENTS TO BY-LAW NO. 25 "TAX EXEMPTION BY-LAW"

The Clerk reported that second reading of proposed amendments to By-Law No. 25, "Tax Exemption By-Law" has been duly advertised in the Coast Guard Newspaper. The proposed amendments will remove properties that should no longer be on schedules contained in the by-law, and will add the Shag Harbour Incident Society which is a local, non profit, historical society that operates the UFO Museum.

Resolution C130202

Moved by S. Hatfield and seconded by D. Messenger that proposed amended to By-Law No. 25, "Tax Exemption By-Law", be approved in second and final reading.

Motion carried unanimously.

Councillor Hatfield questioned whether it would be possible for Council to give authority to staff to make changes to properties listed on schedules contained in By-Law No. 25 "Tax Exemption By-Law".

It was agreed that this matter will be placed on an upcoming Committee of the Whole Council agenda for discussion.

SECOND READING BY-LAW NO. 9 "NOISE"

The Clerk reported that second reading of proposed new By-Law No. 9, "Noise By-Law", has been duly advertised in the Coast Guard Newspaper. The proposed new by-law will replace the existing By-Law No. 9, "Peace, Order, Mischiefs and Nuisances". The Clerk informed members that the by-law has been reviewed by the Municipal Solicitor and he has advised that he has found no changes which he would consider to be strictly necessary, although he does encourage Council to consider various issues which could impact enforceability over time.

Resolution C130203

Moved by S. Hatfield and seconded by D. Messenger that issues raised by the Municipal Solicitor regarding enforceability of By-Law No. 9, "Noise By-Law" be referred to the March 18, 2013 Committee of the Whole Council meeting for further discussion.

Motion carried unanimously.

GOOSE LAKE ROAD

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 properties in the Goose Lake area.

The Clerk informed members that correspondence has been received from the Goose Lake Association Ltd. advising that letters were forwarded to each of the 56 property owners in the Goose Lake area, which advised of two options to improve the condition of the Goose Lake Road:

- Option 1:** Have the Municipality of Barrington take possession of the road. The road would then be upgraded to certain standards. Snow removal, grading, as well as necessary repairs would be their responsibility. A fee would be added to property owners' tax bill each year.
- Option 2:** Have the Goose Lake Road remain as is, classified private, but yet considered public, and accept the responsibility of fixing the roadway ourselves. If all property owners (56 in total) would agree to pay a fixed amount of road dues each year, then modest improvements could be made and the road would be passable, with caution.

Goose Lake Association Ltd. has advised that, to date, 33 letters have been returned; 32 in favour of Option 1, and 1 in favour of Option 2.

The Clerk informed members that there is now a third option available. Under the Municipal Government Act there is provision to put a by-law in place to cover the cost of road maintenance which would constitute a lien against the property.

Resolution C130204

Moved by J. Crook and seconded G. El-Jakl that Municipal Staff meet with representatives of the Goose Lake Association to discuss options, and to prepare a package for councillors outlining details of the project, and that the matter be placed on the agenda for the Committee of the Whole Council on March 18, 2013 for further discussion.

Motion carried unanimously.

It was suggested that the package to be circulated to members include a map of the area.

Deputy Warden Messenger returned to the meeting.

MATTERS ARISING FROM THE MINUTES

Pension Plan for Councillors

Conflict of Interest

Warden Eddie Nickerson declared conflict of interest, vacated his seat, and proceeded to the spectator area.

The decision of Council will determine when Warden Nickerson will be eligible to start contributing to the Pension Plan.

The Warden turned the Chair over to the Deputy Warden before proceeding to the spectator area.

Conflict of Interest

Councillor Crook declared conflict of interest, vacated his seat and proceeded to the spectator area.

The decision of Council will determine when Councillor Crook will be eligible to start contributing to the Pension Plan.

The Clerk informed members that Council at their meeting held March 12, 2012 passed a motion that councillors be given an opportunity to join the Municipal Pension Plan after the next municipal election. The Pension Plan requires that there be six (6) months of continuous service before becoming eligible to contribute to the Pension Plan. Sun Life has advised that the six month requirement can be waived. Council is being asked tonight if they would like to waive the six month requirement to enable Warden Eddie Nickerson and Councillor Jody Crook to participate in the Pension Plan, effective November 5, 2012, which is when they were sworn into office.

Resolution C130205

Moved by S. Hatfield and seconded by G. El-Jakl that the six month waiting period to become eligible for the Pension Plan be waived for Warden Nickerson and Councillor Crook to allow them to make contributions to the Pension Plan, effective November 5, 2012.

Motion carried unanimously.

Resolution C130206

Moved by S. Hatfield and seconded by G. El-Jakl that the Committee of the Whole Council consider a policy to waive the pension plan waiting period for all councillors.

Motion carried unanimously.

CORRESPONDENCE

Roseway Hospital Charitable Foundation

In advance to the meeting each member was provided with a copy of a letter received from the Roseway Hospital Charitable Foundation which advised that the Roseway Hospital Mission Statement states that as a foundation one of the responsibilities is "to support the delivery of all avenues of health care services to the residents of Shelburne County and beyond when necessary". The letter stated that they feel that by having representatives from all municipal units in Shelburne County, they can fulfill this mandate.

The Foundation thanked the Municipality for appointing a representative to serve on the Roseway Hospital Charitable Foundation, and advised that invitations will be forwarded to the Municipality of Shelburne and the Town of Shelburne requesting that they also make appointments to the Board.

Liberal Caucus Meeting

Correspondence has now been received from the Liberal Caucus advising that they are available to meet with Council on Thursday, February 28, 2013, at 1:00 p.m., in Halifax.

Resolution C130207

Moved by D. Messenger and seconded by J. Crook that the Liberal Caucus be requested to reschedule their meeting with representatives from the Barrington Municipal Council in late April 2013.

Motion carried unanimously.

REPORT OF WARDEN

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

During his report he provided information on the Region 6 Solid Waste Management Meeting which was held on February 15, 2013. During this meeting discussion took place regarding the restructuring of bottle deposits.

Resolution C130208

Moved by S. Hatfield and seconded by D. Messenger that Valda Walsh of Region 6 be invited to attend a meeting of the Committee of the Whole Council to discuss bottle deposits.

Motion carried unanimously.

REPORT OF COUNCILLORS

Councillor George El-Jakl

Councillor El-Jakl reported on Committee recommendations.

Regional Enterprise Network Liaison Committee

Resolution C130209

Moved by D. Messenger and seconded by J. Crook that the Warden be the Municipality's member on the REN Liaison Committee.

Motion carried unanimously.

Resolution C130210

Moved by S. Hatfield and seconded by J. Crook that the Deputy Warden be appointed the alternate member for REN Liaison Committee.

Motion carried unanimously.

Doctor Yee Rental Request

It was reported that Dr. Yee is once again requesting rental funding for the back office in Dr. Germanus' facility.

Moved by S. Hatfield and seconded by J. Crook that the Municipality continue funding the rental payment for the second office at Dr. Germanus' facility so that medical students can continue to be brought to the Municipality, and so that the doctors will continue to have another office to see more patients.

Moved by G. El-Jakl and seconded by S. Hatfield that the above motion be amended to provide for a rental amount of \$690.40 per month and that this agreement be for a one year period.

Motion carried unanimously.

The amended motion reads as follows:

Resolution C130211

"...that the Municipality continue funding the rental payment of \$690.40 per month for the second office at Dr. Germanus' facility so that medical students can continue to be brought to the Municipality, and so that the doctors will continue to have another office to see more patients, and that this agreement be put in place for a one year period."

Motion carried unanimously.

Street Light Request

Resolution C130212

Moved by J. Crook and seconded by D. Messenger that the Municipality take over paying for the cost of a street light at the end of Petticoat Lane, in future, without paying any payments in arrears, and that it be determined if an LED street light can be used at this location.

Motion carried unanimously.

Part-time Travel Counselor

Resolution C130213

Moved by D. Messenger and seconded by J. Crook that the job description for the part-time travel counselor be approved as presented, and that a part-time travel counselor be included in the Visitor Information Centre budget for the coming season.

Motion carried unanimously.

Woodland Multi Use Trail Association Grant

Members were informed that funds from the Gas Tax Funds cannot be provided to this organization. The Gas Tax Funds can only be applied to projects on trails that are owned by the Municipality. As a result, it was suggested that the grant provided to this organization of \$18,000.00 be taken from the Municipality's Grants to Organizations as it did in the previous year, and not from the Gas Tax Funds as previously approved by Council.

Resolution C130214

Moved by J. Crook and seconded by D. Messenger that the grant being provided to the Woodland Multi Use Trail Association, for the completion of the multi purpose trail from Woods Harbour to the C.S.I. Causeway, be provided from Grants to Organizations.

Motion carried unanimously.

Provincial Electoral Boundaries

After investigation and consultation with various legal advisors, it was concluded that it would not be likely that an injunction could be obtained by the Municipality in regards to the Provincial Electoral Boundaries.

Resolution C130215

Moved by S. Hatfield and seconded by J. Crook that the other municipal units in the County be contacted indicating that the Municipality of Barrington will not be pursuing any further legal action as it is not recommended by legal advisors.

Motion carried unanimously.

Mayor/Warden Discussion

Resolution C130216

Moved by J. Crook and seconded by S. Hatfield that Municipal Staff obtain further information concerning the potential job description of a mayor, which would include the duties and responsibilities of the position, as well as the wages attached thereto.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

ATV Discussion

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

WHEREAS it is the intention of Council to open the Barrington Bay Trail for multi purpose use for a one year trial period;

AND WHEREAS it is important for Council to receive the input of local residents and the general public before making this decision;

THEREFORE BE IT RESOLVED that the Municipality hold a public meeting on April 2, 2013, at 7:00 p.m., in the Municipal Administration Building for the purpose of receiving comments regarding the conversion of the Barrington Bay Trail to a multi purpose trail for a one year trial period.

Friends of the Cape Light

Moved by S. Hatfield and seconded by D. Messenger that the Municipality provide a grant of \$5,000.00 to the Friends of the Cape Light for the purpose of repairing and painting the outside of the light on the condition that \$90,000.00 for this purpose is raised by the Friends of the Cape Light, which would include, if necessary, a \$5,000.00 grant from the Town of Clark's Harbour.

Much discussion took place regarding the wording of this motion and it was therefore decided that the motion be withdrawn.

Resolution C130217

Moved by S. Hatfield and seconded by D. Messenger that the Municipality provide a grant of \$5,000.00 to the Friends of the Cape Light for the purpose of repairing and painting the outside of the light subject to:

1. \$90,000.00 is raised excluding the Municipality's grant.
2. \$5,000.00 of the total raised is a grant from the Town of Clark's Harbour

<u>Summary:</u>	Municipality of Barrington	\$ 5,000.00
	Town of Clark's Harbour	\$ 5,000.00
	Fundraising	<u>\$85,000.00</u>
	TOTAL:	<u>\$95,000.00</u>

Motion carried unanimously.

Healthy Eating Policy

Resolution C130218

Moved by G. El-Jakl and seconded by J. Crook that suggestions be obtained from the Arena Manager and Recreation Director to implement incremental steps in choosing and promoting the sale of healthier foods at Municipal facilities.

Motion carried unanimously.

Councillor El-Jakl then 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 Jody Crook

Councillor Crook 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.

CLERK-TREASURER'S REPORT

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

NEW BUSINESS

Consideration of Amendments - Policy No. 8 "Annual Remuneration and Expenses for Councillors, Staff and Others"

Notice of consideration of amendments to Policy No. 8 "Annual Remuneration and Expenses for Councillors, Staff and Others" was given at the Council meeting held January 28, 2013. It is proposed that a new section be added to this policy to deal with attendance at UNSM meetings and workshops. The proposed section is as follows:

Members of Council attending one day meetings and workshops offered by the Union of Nova Scotia Municipalities, not requiring overnight accommodations, will be reimbursed for expenses. Reimbursement will cover mileage, parking and meals only, and receipts must be provided as indicated in Section 10 above. Advance approval of Council is not required as long as expenditure can be covered by current budgeted amount. Attendees must give written report to Council at the Council meeting following the meeting or workshop.

Resolution C130219

Moved by S. Hatfield and seconded by D. Messenger that Policy No. 8 "Annual Remuneration and Expenses for Councillors, Staff and Others" be amended as indicated above.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

Consideration of Amendments - Policy 6 "Use of Municipal Facilities"

Notice of Consideration of amendments to Policy No. 6 "Use of Municipal Facilities" was given at the January 28, 2013 Council meeting. The amendments deal with instructors hired to carry out recreation programs.

Resolution C130220

Moved by J. Crook and seconded by S. Hatfield that proposed amendments to Policy No. 6 "Policy Governing Use of Municipal Facilities", be approved as presented.

Motion carried unanimously.

Consideration of Amendments - Policy 7 "Recreation Department Policy"

Notice of Consideration of amendments to Policy 7 "Recreation Department Policy" was given at the January 28, 2013 Council meeting.

It is proposed that Section 16 be deleted and replaced with the following:

"Strive to offer a variety of programs and services accessible to all community members."

Resolution C130221

Moved by J. Crook and seconded by S. Hatfield that proposed amendments to Policy No. 7, Section 16, be approved as presented.

Motion carried unanimously.

Consideration of Amendments - Policy 39 "Hiring Policy"

Notice of Consideration of amendments to Policy No. 39, "Hiring Policy" was given at the January 28, 2013 Council meeting. It is proposed that Policy 39 be amended to require that not more than two (2) councillors serve on the Hiring Committee.

Resolution C130222

Moved by G. El-Jakl and seconded by D. Messenger that Policy No. 39 "Hiring Policy" be amended to reduce the number of councillors serving on the Hiring Committee from three (3) to two (2) members.

Motion carried unanimously.

Notice of Consideration - Policy 59 "Committees of Council"

Notice of consideration of amendments to Policy 59 "Committees of Council" was given at the January 28, 2013 Council meeting. It is proposed that Policy No. 59 "Committees of Council" be amended to reduce the number of councillors serving on standing committees from three (3) to not more than two (2) members. It is also recommended that Section 5 be amended by deleting existing wording which makes reference to old committees such as the Community Health Care Advisory Committee and the Continuing Care Steering Committee, and replacing with the following: *"ad hoc committees may be appointed from time to time to deal with specific matters."*

Resolution C130223

Moved by G. El-Jakl and seconded by J. Crook that amendments to Policy No. 59 "Committees of Council" be approved as presented.

Motion carried unanimously.

Consideration of Amendments - Policy 62 "Barrington Municipal Arena"

Notice of consideration of amendments to Policy 62 "Barrington Municipal Arena" was given at the January 28, 2013 Council meeting. It is proposed that Policy No. 62 "Barrington Municipal Arena" be amended to state that rental rates for ice and non ice times will be set by resolution of Council, and rates will be set during the budget process.

Resolution C130224

Moved by J. Crook and seconded by D. Messenger that proposed amendments to Policy No. 62 "Barrington Municipal Arena" be approved as presented.

Motion carried unanimously.

Notice of Consideration - Proposed Information Technology Policy

It is proposed that an Information Technology Policy be put in place to provide more flexibility to councillors for the provision of electronic technology, which will be more cost effective for the Municipality.

Consideration of this policy will take place at a subsequent Council meeting.

RFP - Front End Loader

An advertisement was placed on the Nova Scotia Government Procurement website requesting proposals for the supply of a front end loader. The deadline for proposals was 10:00 a.m., on February 11, 2013, and at 10:15 a.m. on the same date the proposals were opened by Brian Holland, Municipal Clerk; Cameron Whiteway, Property Services Manager; and Sharon Brannen, Secretary. Four proposals were received which are listed below:

- | | |
|--|-----------------------|
| - Prospect Industrial Equipment Sales and Rentals Ltd. | \$49,000.00, plus HST |
| - Prospect Industrial Equipment Sales and Rentals Ltd. | \$71,000.00, plus HST |
| - Prospect Industrial Equipment Sales and Rentals Ltd. | \$45,000.00, plus HST |
| - Wallace Equipment Ltd. | \$87,660.00, plus HST |

The Clerk informed members that all proposals were reviewed in detail by the Property Services Manager, and it is his recommendation that the proposal received from Prospect Industrial Equipment Sales and Rentals Ltd. for a 1987 Michigan L90 loader, at a price of \$49,000.00, plus HST, be accepted.

Resolution C130225

Moved by G. El-Jakl and seconded by D. Messenger that the recommendation of the Property Services Manager to accept the proposal received from Prospect Industrial Equipment Sales and Rentals Ltd., for the purchase of a 1987 Michigan L90 front end loader, at a price of \$49,000.00, plus HST, be accepted.

Motion carried unanimously.

RFP - Woods Harbour Sidewalk Engineering

Members were informed that an advertisement was placed on the Nova Scotia Government Procurement website requesting proposals for the services of a consultant to undertake the design and construction inspection of approximately 950 meters of sidewalk in Woods Harbour. The deadline for proposals was 2:00 p.m., on February 21, 2013, and at 2:15 p.m. on the same date the proposals were opened by Brian Holland, Municipal Clerk; Lesa Rossetti, Deputy Clerk; and Sharon Brannen, Secretary. Five proposals were received which are listed below:

- | | |
|---------------------------------------|-----------------------|
| - exp Services Inc. | \$45,625.00, plus HST |
| - ABL Environmental Consultants Ltd. | \$47,200.00, plus HST |
| - Strum Consulting Limited | \$73,815.00, plus HST |
| - C. J. MacLellan and Associates Inc. | \$68,020.00, plus HST |
| - CBCL Limited | \$57,665.00, plus HST |

It is recommended that the proposal received from ABL Environmental Consultants Ltd. in the amount of \$47,200.00, plus HST, be accepted for engineering services for the Woods Harbour Sidewalk Project. The ABL proposal is the most complete proposal at the lowest cost to the Municipality. In paragraph 3.3 the Request for Proposals require proponents to provide full-time onsite inspection services during construction of the sidewalk. The proposal received from exp Services Inc. stated that they expected the construction period to be 12 weeks, and they believed inspection services would only be required for six weeks, therefore their proposal did not meet the terms of the RFP.

Resolution C130226

Moved by G. El-Jakl and seconded by D. Messenger that the proposal received from ABL Environmental Consultants Ltd. for engineering services for the construction of the Woods Harbour Sidewalk, in the amount of \$47,200.00, plus HST, be approved.

AFFIRMATIVE

Jody Crook
George El-Jakl
Donna LeBlanc-Messenger

NEGATIVE

Shaun Hatfield
Eddie Nickerson

Motion carried.

It was the consensus of members that if the Woods Harbour Sidewalk Project exceeds \$750,000.00, then the matter be brought back to Council for further consideration.

Volunteer of the Year

Nominations for Volunteer of the Year have been received for three individuals. Nominations were circulated to all members for their review and consideration. Members completed a selection form for the evaluation and selection of the Volunteer of the Year. The forms were then summarized and calculated to determine which volunteer received the most votes.

Darrell Stoddard of Woods Harbour was declared Volunteer of the Year for the Municipality of Barrington.

Televised Council Meetings and Community Events

The Clerk informed members that Eastlink is willing to provide a camera to record Council meetings. The recording will then be forwarded to Eastlink, and it will be televised the Thursday following the Council meeting at 8:00 p.m. A signed agreement is required for use of the camera equipment and the Municipality of Barrington will be responsible for any damage to the equipment. There is a possibility other community events may be able to use the camera as well, but that will require prior approval from Eastlink.

Resolution C130227

Moved by G. El-Jakl and seconded by D. Messenger that the Warden and Clerk be authorized to enter into the Memorandum of Understanding with Eastlink TV for camera equipment provided to record Council meetings.

Motion carried unanimously.

ADJOURNMENT

Moved by D. Messenger that the meeting adjourn.

The meeting was adjourned at 10:05 p.m.

Warden

Clerk

Secretary for the Meeting

On website February 28, 2013.