

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, March 23, 2015. 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:

- 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

### ADDITIONAL ITEMS

The Clerk informed members that it is necessary to add the following items to the agenda:

- Roseway Hospital ER Closures.
- Proposed Amendment to By-Law No. 20, “Building”.
- Closed Session Re: Former BMHS Property Litigation.

Warden Nickerson also informed members that he had received a letter from the Department of Community Services regarding Child Welfare Staff which will be brought up under “Matters Arising from the Minutes”.

### DECLARATIONS OF CONFLICT OF INTEREST

The Warden informed members that he would be declaring conflict of interest when Council deals with the former BMHS property litigation during the Closed Session of Council.

### CLOSED SESSION RE: PERSONNEL MATTER (MGA SECTION 22(2)(c) & FORMER BMHS PROPERTY LITIGATION (MGA SECTION 22(2)(f))

#### Conflict of Interest

The Warden informed members that he will be attending the Closed Session to deal with personnel matters only, and will be declaring conflict of interest when members deal with the former BMHS property litigation.

After discussion of the personnel matters the Warden left the Closed Session.

The Warden declared conflict of interest as he is a personal friend of the plaintiff in this litigation.

The regular meeting was called back to order by Deputy Warden Donna LeBlanc-Messenger. She informed members that during the Closed Session evaluations were reviewed for Lesa Rossetti, Deputy Clerk; Cameron Whiteway, Property Services Manager; and Sharon Brannen, Secretary. She also informed members that the former BMHS property litigation was discussed and the Municipal Clerk was given instruction in Closed Session.

Warden Nickerson then returned to the meeting and resumed the Chair.

#### APPROVAL OF MINUTES

**Moved** by G. El-Jakl and seconded by D. Messenger that minutes of the Regular Council Meeting held February 23, 2015, and minutes of the Special Council Meeting held March 10, 2015 be approved as circulated.

Motion carried unanimously.

#### MATTERS ARISING FROM THE MINUTES

##### Endoscopy Services

Correspondence has been received from Cathy Blades, South West Health, in response to our letter in support of the Municipality of Shelburnes' request that endoscopy services be reinstated at Roseway Hospital. Mrs. Blades advised that she has made note of our support and South West Health has submitted a Capital Clinical Project request to the Department of Health and Wellness which will enable them to continue providing these services at Roseway Hospital. Mrs. Blades advised that they are currently awaiting confirmation of approval to the request.

##### Resolution C150304

**Moved** by G. El-Jakl and seconded by D. Messenger that a copy of the letter received from Cathy Blades, South West Health, concerning the reinstatement of endoscopy services at Roseway Hospital be forwarded to the Municipality of Shelburne for their information.

Motion carried unanimously.

##### Resolution No. C150101 Re: Former CSI School

It was reported to members that at the Regular Council Meeting held January 26, 2015 the following motion was passed:

##### Resolution C150101

*Moved by S. Hatfield and seconded by J. Crook that citizens of the Municipality be invited to attend a Public Consultation Meeting to discuss the possibility of Harvest House Atlantic using the former CSI Elementary School for outreach programs.*

*Motion carried unanimously.*

With the Municipality now proceeding to invite Request for Proposals for the development of the Cape Sable Island Elementary School, it was suggested that this resolution of Council is now redundant.

During discussion of this matter it was suggested that this motion remain in place until results of the RFP are known.

Resolution C150305

**Moved** by S. Hatfield and seconded by J. Crook that the above motion be deferred until the outcome of the province-wide RFP is known.

Motion carried unanimously.

Shelburne District Office – Child Welfare

The Warden informed members that correspondence has been received from Phil Warren, Regional Administrator of the Department of Community Services, for the purpose of providing additional information as requested at our meeting held February 12, 2015 regarding staff changes in the Shelburne District Office. The letter was read by the Warden which advised that Child Protection clients in our communities will not see a change, and they will continue to receive services in the same manner that they always have. The letter further advised that by combining the Child Welfare Staff of the Shelburne (Barrington) and the Queens (Liverpool) district offices they hope to provide strengthened support to staff and services to families and clients.

During our meeting on February 12, 2015, Mr. Warren advised that the Shelburne District Office has experienced a decrease in the number of Child Welfare cases during recent years. He also indicated that another challenge is recruiting well trained staff to smaller offices.

During the meeting with Mr. Warren on February 12, 2015, he provided caseload stats for Barrington and Yarmouth and agreed to provide stats for the Liverpool Office. This information has still not been provided to the Municipality.

Resolution C150306

**Moved** by D. Messenger and seconded by S. Hatfield that Municipal Employees contact the local supervisor of the Department of Community Services on a daily basis requesting this information until at least the end of March, and this information also be requested under the Freedom of Information and Protection of Privacy legislation.

Motion carried unanimously.

It was the consensus of members that the FOIPOP application also include a request for the actual documentation to the Minister of Community Services supporting changes to be made to the Shelburne District Office of Child Welfare.

Resolution C150307

**Moved** by G. El-Jakl and seconded by J. Crook that a copy of the letter received from Phil Warren, Regional Administrator, Department of Community Services, be forwarded to the Minister of Community Services and MLA for Argyle-Barrington, expressing our displeasure in the response received.

Motion carried unanimously.

### PROCLAMATION – NATIONAL HEALTH & FITNESS DAY

Correspondence has been received from MP Gerald Keddy in which he asks Council to pass a resolution in support of the new national day *National Health and Fitness Day* to enhance the health and fitness of constituents and all Canadians.

After hearing no objections to the proclamation, the Warden proclaimed *National Health and Fitness Day* in the Municipality of the District of Barrington as the first Saturday in June.

It was suggested that the Recreation Department make contact with *The Running Mafia*, a local running group, in an attempt to arrange an event to be held on the first Saturday in June in recognition of National Health & Fitness Day.

### CORRESPONDENCE

There was no correspondence to be dealt with.

### REPORT OF WARDEN

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

### REPORT OF COUNCILLORS

#### Deputy Warden Donna LeBlanc-Messenger

Deputy Warden Messenger gave a brief report of her 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.

#### Councillor Shaun Hatfield

Councillor Hatfield gave a brief report on his activities since the last meeting of Council.

#### Councillor George El-Jakl

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

Councillor El-Jakl then reported on recommendations from committees.

#### Woods Harbour Trail

#### Resolution C150308

**Moved** by G. El-Jakl and seconded by J. Crook that Nova Scotia Natural Resources be requested to transfer the Municipality's Letter of Authority for the multi use trail in Woods Harbour to the Woodland Multi Use Trail Association.

Motion carried unanimously.

Barrington Fire and Emergency Services

Resolution C150309

**Moved** by S. Hatfield and seconded by J. Crook that the Municipality continue with the current administrative governance for the fire services until such time as changes may be determined and approved by Council.

Motion carried unanimously.

SCBAs

Resolution C150310

**Moved** by J. Crook and seconded by D. Messenger that the Port Clyde Volunteer Fire Department purchase the extra SCBAs from the Woods Harbour Shag Harbour Volunteer Fire Department.

Motion carried unanimously.

Barrington/Port LaTour Waiver of Building Restrictions

Resolution C150311

**Moved** by J. Crook and seconded by S. Hatfield that the two year restriction for construction of fire halls be waived for the Barrington/Port LaTour Volunteer Fire Department so that they can proceed to investigate the construction of a new fire hall.

Motion carried unanimously.

During discussion of this matter it was noted that the restriction would expire August 2015.

Barrington/Port LaTour Fire Hall Building Design

Resolution C150312

**Moved** by J. Crook and seconded by D. Messenger that the Barrington/Port LaTour Volunteer Fire Department be permitted to engage a company for the design and tender documents for the proposed fire hall to be located on the Villagedale Road.

Motion carried unanimously.

During discussion of this matter it was noted that the Barrington/Port LaTour Volunteer Fire Department would be required to follow municipal policies.

Old Port LaTour Fire Hall

Resolution C150313

**Moved** by J. Crook and seconded by S. Hatfield that Municipal Employees demolish the former Port LaTour Fire Hall structure which does not include the current metal building housing vehicles.

Motion carried unanimously.

Station Chiefs' Training

Resolution C150314

**Moved** by J. Crook and seconded by D. Messenger that the training requirement for Station Chiefs be extended for one year so that the required training courses can be provided.

Motion carried unanimously.

Ice Time Donation

Resolution C150315

**Moved** by G. El-Jakl and seconded by D. Messenger that ice time be provided for a fundraiser which was held on Saturday, March 7, 2015, for the purpose of raising funds for the Shelburne County Minor Hockey Association.

Motion carried unanimously.

Engage Nova Scotia

Engage Nova Scotia is a non profit organization working with people and communities to overcome economic and social challenges. Engage Nova Scotia is funded through grants and donations from local governments and private organizations. On February 23, 2015 Engage Nova Scotia met with councillors and staff.

Resolution C150316

**Moved** by G. El-Jakl and seconded by J. Crook that a grant of \$2,000.00 be provided to Engage Nova Scotia in appreciation for their recent presentation made to councillors and municipal staff.

Motion carried unanimously.

Cape Sable Island Elementary School RFP

Resolution C150317

**Moved** by D. Messenger and seconded by S. Hatfield that the Municipality issue a Request for Proposal for the development of the Cape Sable Island Elementary School requesting responses to be received no later than the end of May 2015.

Motion carried unanimously.

Tourism and Community Development Officer

Resolution C150318

**Moved** by J. Crook and seconded by S. Hatfield that the Municipality advertise the Tourism and Community Development Officer position as a five year term position, with a renewable contract, according to the terms of the Municipality's Hiring Policy.

**AFFIRMATIVE**

Jody Crook  
George El-Jakl  
Shaun Hatfield  
Donna LeBlanc-Messenger

**NEGATIVE**

Eddie Nickerson

Motion carried.

Resolution C150319

**Moved** by J. Crook and seconded by S. Hatfield that the salary for the Tourism and Community Development Officer position be established at a base rate of \$35,000.00, increasing in \$1,000.00 increments over a period of five years to \$40,000.00.

**AFFIRMATIVE**

Jody Crook  
George El-Jakl  
Shaun Hatfield  
Donna LeBlanc-Messenger

**NEGATIVE**

Eddie Nickerson

Motion carried.

Resolution C150320

**Moved** by S. Hatfield and seconded by G. El-Jakl that the current Tourism and Community Development Officer position and the incumbent individual continue to fill this position until the process is completed to hire a person under a five year contract term.

Motion carried unanimously.

Barrington Municipal Arena

**Moved** by S. Hatfield and seconded by G. El-Jakl that the Municipality advertise for a seasonal Arena Manager to work for a 40 hour work week at a salary range of \$35,000.00 to \$40,000.00 annually. It would be preferred that this individual have refrigeration equipment maintenance certification, if possible.

Resolution C150321

**Moved** by S. Hatfield and seconded by J. Crook that the above motion be referred back to the Committee of the Whole Council for further discussion.

Motion carried unanimously.

Station Road Properties

It was reported that the Municipality has received an unsolicited offer to purchase property located behind the Administrative Centre, in Barrington.

Resolution C150322

**Moved** by G. El-Jakl and seconded by J. Crook that the Municipality does not have any interest in purchasing the two properties located behind the Municipal Office.

Motion carried unanimously.

Community Health Centre

Dr. Germanus closed her practice in December 2014 and returned home to Toronto, and Dr. Blair recently moved his practice to Clark's Harbour leaving the Community Health Centre vacant.

Resolution C150323

**Moved** by G. El-Jakl and seconded by J. Crook that the Municipality having no further use for the Community Health Centre property in its present designation, dispose of the building and lot on which the building is located by way of public request for proposals.

Motion carried unanimously.

Seaside Rest Stop Engineering

Resolution C150324

**Moved** by S. Hatfield and seconded by J. Crook that the Municipality proceed with the Seaside Tourist Rest Stop project without engaging an engineering consultant.

**AFFIRMATIVE**

Jody Crook  
Shaun Hatfield  
Eddie Nickerson

**NEGATIVE**

George El-Jakl  
Donna LeBlanc-Messenger

Motion carried.



Purchase of Fire Truck

Resolution C150325

**Moved** by D. Messenger and seconded by S. Hatfield and carried unanimously.

**WHEREAS** Section 91 of the Municipal Government Act provides that a municipality is authorized to borrow money subject to the approval of the Minister of Municipal Affairs;

**AND WHEREAS** the resolution of council to borrow for purchase of fire truck was approved by the Minister of Municipal Affairs March 17, 2015;

**AND WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

**AND WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 91 of the *Municipal Government Act*, the Municipality of the District of Barrington borrow by the issue and sale of debentures a sum or sums not exceeding \$417,320, for a period not to exceed 10 years; subject to the approval of the Minister of Municipal Affairs;

**THAT** the sum be borrowed by the issue and sale of debentures of the Municipality of the District of Barrington in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

**THAT** the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payment made annually;

**THAT** this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

Department of Transportation and Infrastructure Renewal 2015 Annual Temporary Count Program

Resolution C150326

**Moved** by G. El-Jakl and seconded by D. Messenger that the Municipality inform the Nova Scotia Department of Transportation and Infrastructure Renewal that there are no vehicle counts required by the Municipality for the coming year.

Motion carried unanimously.

Lobster Licence Plates

It was reported that other municipal units in South Western Nova Scotia are asking Service Nova Scotia to provide licence plates with lobsters on them in order to promote the lobster fishing industry in Nova Scotia.

Resolution C150327

**Moved** by G. El-Jakl and seconded by D. Messenger that the Municipality support the efforts of adjacent municipalities to have a lobster licence plate within the Province of Nova Scotia.

Motion carried unanimously.

Public Participation Meeting Re: Group Commercial Zone

It was reported that a Public Participation Meeting was held on March 19, 2015 to receive comments and input from the public regarding proposed amendments to the Municipal Land Use By-Law. Proposed amendments to the by-law are contained in Part 7, Group Commercial Zone. These amendments will permit listed commercial and residential uses as identified below to be conducted in existing structures in the Group Commercial Zone. There are only two structures located within the Group Commercial Zone, one being the Upper Causeway Plaza, and the other being the Lower Causeway Plaza located near the CSI Causeway.

- business and professional offices
- day care operations
- dressmaking and tailoring shops
- photography and art studios
- residential uses
- retail and convenience stores
- restaurants (eat in – take out- excluding drive through)
- indoor recreation facilities including premises for billiards, bowling, cinema, video arcades, interactive recreational simulators
- medical clinics
- plazas and strip malls
- printing establishments
- service shops
- tourist accommodations
- veterinary clinics
- boarding homes
- guest homes
- guest homes
- fraternal centres
- private recreational clubs

Proposed amendments will make the Land Use By-Law consistent with the intentions expressed in the Municipal Planning Strategy. Proposed amendments will allow the uses listed as of right within the existing footprint of the building.

Resolution C150328

**Moved** by J. Crook and seconded by G. El-Jakl that the proposed amendments to Part 7 Group Commercial (GC) Zone of the Land Use By-Law be brought forward to Council for their consideration.

Motion carried unanimously.

Resolution C150329

**Moved** by G. El-Jakl and seconded by D. Messenger that Council give notice of intention to adopt proposed amendments to the Land Use By-Law, and proceed to hold a Public Hearing at the next meeting of Council to further consider amendments that would permit the list of commercial and residential uses to be conducted in existing structures in the Group Commercial Zone.

Motion carried unanimously.

NEW BUSINESS

New Job Description – Arena Manager (Seasonal Position)

In advance to the meeting each member was provided with a copy of a draft new job description for the seasonal position of Arena Manager.

Resolution C150330

**Moved** by S. Hatfield and seconded by J. Crook that the new job description for Arena Manager be referred to the Committee of the Whole Council for further discussion.

Motion carried unanimously.

Revised Job Description – Tourism and Community Development Officer

In advance to the meeting each member was provided with a revised job description for the Tourism and Community Development Officer. It was reported that very few changes were made to the job description prepared for the six month term position of Tourism and Community Development Officer.

Resolution C150331

**Moved** by S. Hatfield and seconded by D. Messenger that the hours of work be changed from 40 hours per week to 35 hours per week.

Motion carried unanimously.

**Moved** by S. Hatfield and seconded by J. Crook that the revised job description for the position of Tourism and Community Development Officer be approved as amended.

The Warden turned the Chair over to the Deputy Warden in order that he could address the matter.

Resolution C150332

**Moved** by E. Nickerson and seconded by J. Crook that the revised job description for the position of Tourism and Community Development Officer be referred back to the Committee of the Whole Council for further discussion.

**AFFIRMATIVE**

Jody Crook  
George El-Jakl  
Donna LeBlanc-Messenger  
Eddie Nickerson

**NEGATIVE**

Shaun Hatfield

Motion carried.

It was agreed by members that there be a Special Meeting of the Committee of the Whole Council held Monday, March 30, 2015, at 7:00 p.m., to deal with the job descriptions for the Arena Manager seasonal position, and the Tourism and Community Development Officer, 5 year term.

Consideration of Amendments to Policy 54 “Fire Services”

Notice was given at the last meeting of Council that proposed amendments to Policy 54 “Fire Response and Emergency Services Policy” would be considered this evening. It is proposed that the policy be amended to include information on surpluses and deficits of each fire department, update officers and dispatch information.

Resolution C150333

**Moved** by G. El-Jakl and seconded by D. Messenger that Policy No. 54 “Fire Response and Emergency Services Policy” to include information on surpluses and deficits of each fire department be approved as presented.

Motion carried unanimously.

Resolution C150334

**Moved** by G. El-Jakl and seconded by D. Messenger that Policy No. 54 “Fire Response and Emergency Services Policy” be further amended to update officers and dispatch information.

Motion carried unanimously.

Having reached the hour of 10:00 p.m. it was the consensus of members to continue with the meeting until all items on the agenda have been dealt with.

Consideration of Amendments to Policy No. 38 “C & D Landfill Policy”

Notice was given at the last meeting of Council that proposed amendments to Policy No. 38, “Construction and Demolition Debris Landfill Policy”, would be considered tonight. It is proposed that the policy be amended to permit “agents of residents” to deposit waste at the C & D Landfill Site at the same fee charged to residents.

Resolution C150335

**Moved** by D. Messenger and seconded by S. Hatfield that proposed amendments to Policy No. 38, “C & D Landfill Policy” to permit agents of residents to deposit waste at the C & D Landfill Site at the same fee charged to residents be approved as presented.

**AFFIRMATIVE**

Jody Crook  
George El-Jakl  
Shaun Hatfield  
Donna LeBlanc-Messenger

**NEGATIVE**

Eddie Nickerson

Motion carried.

Consideration of Amendments to Personnel Policy – Article 12

At the last meeting of Council notice was given that consideration will be given tonight to amendments to Article 12 of the Personnel Policy. It is proposed that this article be amended to include “Nova Scotia Heritage Day”.

Resolution C150336

**Moved** by G. El-Jakl and seconded by S. Hatfield that Nova Scotia Heritage Day be added to Article 12 of the Personnel Policy.

Motion carried unanimously.

Notice of Consideration – Amendments to Policy 52 “Meetings”

Notice is given tonight that Council will consider amendments to Policy 52, “Council Meetings and Proceedings Policy”, at the next meeting of Council. It is proposed that Section 5(d) be amended deleting the reference to audio recordings of meetings being posted on the Municipal website.

First Reading – Proposed Amendments to By-law No. 25 “Tax Exemption By-Law”

It is proposed that Schedule B of By-Law No. 25, “Tax Exemption By-Law”, be amended by deleting the Barrington Regional Curling Club, Assessment #03389014, as this property is now assessed as commercial exempt.

Resolution C150337

**Moved** by G. El-Jakl and seconded by D. Messenger that proposed amendments to By-Law No. 25, “Tax Exemption By-Law”, to delete the Barrington Regional Curling Club from Schedule B, be approved in first reading.

Motion carried unanimously.

ROSEWAY HOSPITAL EMERGENCY ROOM CLOSURE MEETING

It was reported that there will be a Shelburne Citizens Meeting held Tuesday, March 24, 2015 regarding the Emergency Room crisis at Roseway Hospital. The meeting will be held at the Shelburne Community Centre, at 7:00 p.m.

Resolution C150338

**Moved** by G. El-Jakl and seconded by D. Messenger that any councillor wishing to attend have their expenses paid.

Motion carried unanimously.

Warden Nickerson indicated that he would be attending the meeting on behalf of the Municipality.

FIRST READING BY-LAW NO. 20 “BUILDING BY-LAW”

It is proposed that By-Law No. 20 “Building” be amended by deleting fees from Section 15 and in its place there be reference made to fee for permits being set by resolution of Council.

Resolution C150339

**Moved** by S. Hatfield and seconded by D. Messenger that proposed amendments to By-Law No. 20, “Building” be approved in first reading.

Motion carried unanimously.

For further information it was agreed that proposed amendments to By-Law No. 20, “Building”, be referred to the Committee of the Whole Council for further discussion.

ADJOURNMENT

The meeting adjourned at 10:20 p.m.

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Warden

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Clerk

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Secretary for the Meeting

**On website March 27, 2015.**

