

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, April 27, 2015.

ROLL CALL

The meeting was called to order by the Warden at 7:00 p.m. with the following members 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

DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

CLOSED SESSION

Closed Session of Council is scheduled to deal with personnel matters under Section 22(2)(c) of the Municipal Government Act.

Before going into Closed Session members agreed to the following additions to the agenda:

- Closed Session:
- Clyde River Motorcross Ltd.
 - Former BMHS well. The Warden informed members he would be declaring Conflict of Interest when this matter was discussed.
- Correspondence:
- Letter from Municipality of Shelburne Re: Nova Scotia Film Industry Tax Credit Program.
 - VON Week.

Matters Arising from the Minutes: - Butler's Estates Limited – sewer connection, Albenia Lane.

At this time members proceeded to the Closed Session of Council.

Conflict of Interest

Warden Nickerson declared conflict of interest and did not join members in Closed Session at this time as he is a personal friend of the owner of the former BMHS property.

Upon completing discussion regarding the former BMHS well the Warden was asked to join the Closed Session to discuss remaining matters on the agenda.

REPORT ON CLOSED SESSION

The Deputy Warden provided a brief report on matters discussed in Closed Session. She informed members that discussion took place regarding the former B.M.H.S. well, Clyde River Motorcross Ltd. and personnel matters.

Resolution C150405

Moved by D. Messenger and seconded by G. El-Jakl that the performance evaluation for Samantha Goreham, Municipal Physical Activities Leader, be accepted and approved as presented.

Motion carried unanimously.

Resolution C150406

Moved by D. Messenger and seconded by J. Crook that the performance evaluation for David Kendrick, Fire Services Coordinator, be accepted and approved as presented.

Motion carried unanimously.

APPROVAL OF MINUTES

Resolution C150407

Moved by J. Crook and seconded by S. Hatfield that minutes of the Regular Council Meeting held March 23, 2015, and Special Council Meeting held April 13, 2015, be approved as circulated.

Motion carried unanimously.

NEW BUSINESS

Second Reading – By-Law No. 20 “Building By-Law”

The Clerk informed members that first reading of proposed amendments to By-Law No. 20, “Building By-Law”, took place at the March 23, 2015 Council meeting. It is proposed that fees be deleted from Section 15, and in its place there be reference made to fees for permits being set by resolution of Council. Second reading of proposed amendments to By-Law No. 20, “Building By-Law”, was advertised in the Coast Guard Newspaper on April 7, 2015.

Resolution C150408

Moved by S. Hatfield and seconded by J. Crook that proposed amendments to By-Law No. 20, “Building By-Law”, as indicated above, be approved in second and final reading.

Motion carried unanimously.

Second Reading – By-Law No. 25, “Tax Exemption By-Law” – Schedule “B”

First reading of proposed amendments to By-Law No. 25, “Tax Exemption By-Law”, took place at the March 23, 2015 meeting. It is proposed that Schedule “B” of By-Law No. 25 be amended by deleting the Barrington Regional Curling Club, Assessment Account #03389014, as this property is now assessed as commercial exempt and no longer requires the by-law exemption.

Notice of second reading was advertised in the Coast Guard Newspaper on April 7, 2015.

Resolution C150409

Moved by J. Crook and seconded by S. Hatfield 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 second and final reading.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Barrington/Clark’s Harbour Satellite Dialysis Committee

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting Expressions of Interest from individuals wishing to serve on the newly formed Barrington/Clark’s Harbour Satellite Dialysis Committee. The Clerk informed members that applications have been received from the following:

- Lee Goreham-Smith, Woods Harbour
- Courtney Rennehan, Sherose Island
- Eunice Rennehan, Sherose Island
- Timm Smith, Newellton

Resolution C150410

Moved by S. Hatfield and seconded by J. Crook that Lee Goreham-Smith, Courtney Rennehan, Eunice Rennehan and Timm Smith be appointed to serve on the Barrington/Clark’s Harbour Satellite Dialysis Committee.

Motion carried unanimously.

The Warden indicated to members that he would be attending meetings as an ex-officio member when possible.

Resolution C150411

Moved by D. Messenger and seconded by G. El-Jakl that the “Barrington/Clark’s Harbour Satellite Dialysis Committee” be placed on an upcoming meeting of the Committee of the Whole Council for further discussion regarding membership.

Motion carried unanimously.

Variance Appeal – Edna Kendrick Property

At 7:45 p.m. the variance appeal regarding the Edna Kendrick property in Shag Harbour was brought forward.

David Andrews, Development Officer, was present for this portion of the meeting. Mr. Andrews addressed Council and explained that he had granted a variance to Edna Kendrick for her property located at 5539, Highway #3, Shag Harbour. The variance allows the rear yard buffer to be reduced from 40 feet to 31 feet in order to build an addition on an existing building located on the property. As part of the approval, Mr. Andrews advised that he was required under the Municipal Government Act to notify all property owners residing within 30 meters of the property approved for the variance. As a result of this notification, George Moore and Tammy Armstrong-Moore appealed the decision of the Development Officer to grant the variance. A copy of Mr. & Mrs. Moore's appeal was circulated to members in advance of the meeting.

Resolution C150412

Moved by G. El-Jakl and seconded by S. Hatfield that the appeal received from George Moore and Tammy Armstrong-Moore, appealing the variance granted to Edna Kendrick for her property located at 5539, Highway #3, Shag Harbour be denied.

Motion carried unanimously.

CORRESPONDENCE

VON Canada

The Warden reported that a letter was received today from VON Canada asking Council to declare VON week. Having received no objection, the Warden declared May 17-23, 2015 as VON Week in the Municipality of Barrington.

Education Week

The Warden informed members that a request was received from the Nova Scotia Teachers Union requesting Council to declare Education Week April 19-25, 2015. This request was not received until after the last Council meeting. The Warden recognized Education Week which was held last week and expressed thanks to all Nova Scotia educators.

Public Hearing – Land Use By-Law Amendments - GC Zone

Dave Andrews, Development Officer for the Municipality, was present.

At 8:00 p.m. the Regular Council Meeting was adjourned and a Public Hearing was held to consider amendments to the Land Use By-Law. It is proposed that Part 7, Group Commercial (GC) Zone of the Land Use By-Law be amended to permit listed commercial and residential uses.

Minutes of the Public Hearing are attached hereto and form part of the minutes.

The Regular Council Meeting was then called back to order.

Resolution C150413

Moved by J. Crook and seconded by S. Hatfield that amendments to the Land Use By-Law to permit listed commercial and residential uses in the Group Commercial (GC) Zone be approved as presented.

Motion carried unanimously.

Dave Andrews, Building Inspector, left the meeting at 8:05 p.m.

CONTINUATION OF MATTERS ARISING FROM THE MINUTES

Arena Manager Seasonal Position

Resolution C150414

Moved by G. El-Jakl and seconded by D. Messenger that the job description for Arena Manager – Seasonal Position be approved as presented.

Motion carried unanimously.

The deferred motion of March 23, 2015 was brought forward. The motion is as follows:

“...that the Municipality advertise for a seasonal Arena Manager to work for a 40 hour work week at a salary range of \$35,000 to \$40,000 annually. It would be preferred that this individual have refrigeration equipment maintenance certification, if possible.”

The recommendation from the Committee of the Whole Council at their meeting held March 30, 2015 was brought forward at this time.

“...that the motion made at Council on March 23, 2015 be amended to indicate that the Arena Manager would normally work 40 hours per week and that the wage range would be \$18 to \$22 per hour.”

Resolution C150415

Moved by G. El-Jakl and seconded by J. Crook that the Municipality advertise for a seasonal Arena Manager to work for a 40 hour work week at a wage range of \$18 to \$22 per hour. It would be preferred that this individual have refrigeration equipment maintenance certification, if possible.

Motion carried unanimously.

Butler’s Estates Limited – Sewer Connection, Albenia Lane

Correspondence has been received from Mike Hennigar of Butler’s Estates Limited in which he provided an update on the Albenia Lane sewer connection. Mr. Hennigar advised that Industrial Hydro – VAC, NB Ltd. has completed the camera work and all connections are good. There is no need to make another connection to the main trunk sewer line on the other side of Route 3. He further advised that Mark Whynot of Geomap Surveying & Engineering Inc. has approved the sewer line verbally and is working on as-built drawings and waiting on DOE approval. Mr. Hennigar advised that he is now waiting for approval from the Department of Environment and will provide us with a copy of all the required paperwork when received.

Resolution C150416

Moved by J. Crook and seconded by D. Messenger that Mike Hennigar of Butler's Estates Limited be granted an extension of time to the end of May 2015 to provide required paperwork relating to the sewer connection at Albenia Lane.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

CONTINUATION OF CORRESPONDENCE

Request Re: Lobster Expo and Market

Correspondence has been received from Suzy Atwood advising of events she has planned to be held at the Barrington Municipal Arena during the Shelburne County Lobster Festival. Events include the Lobster Expo and Market, the Great Lobsterman's Challenge, and the East Coast Kitchen Party. Ms. Atwood is requesting Council's assistance in helping to continue to grow the Lobster Festival by waiving the Arena fees and allowing for the use of the canteen facilities for both days of the festival, June 5th and 6th, 2015. Ms. Atwood is also requesting that Council waive the vendor's permits required for the Expo.

Resolution C150417

Moved by S. Hatfield and seconded by D. Messenger that the Municipal Council waive Arena fees and vendor permits for activities planned at the Barrington Municipal Arena and permit the use of the canteen during Lobster Festival, June 5th and 6th, 2015, and that no additional insurance be required by the organizers.

Motion carried unanimously.

During discussion of this matter it was noted that events planned by Ms. Atwood at the Barrington Municipal Arena during the Shelburne County Lobster Festival weekend, June 5th and 6th, 2015, are not municipal events.

Request from Woods Harbour/Shag Harbour Volunteer Fire Department

The Woods Harbour/Shag Harbour Volunteer Fire Department is requesting that the surplus in their budget for the year ending March 31, 2015 be applied to their Loan #9716254, building/truck loan.

Resolution C150418

Moved by G. El-Jakl and seconded by D. Messenger that the request from the Woods Harbour/Shag Harbour Volunteer Fire Department that the surplus in their budget ending March 31, 2015 be applied to Loan #9716254, be approved.

Motion carried unanimously.

Nova Scotia Film Industry Tax Credit Program

A copy of a letter addressed to The Honourable Diana Whalen, Minister of Finance, from the Municipality of Shelburne regarding the Nova Scotia Film Industry Tax Credit Program was received. The letter expressed concern of the recent announcement affecting the Nova Scotia Film Industry, specifically the cuts proposed to the Film Tax Credit Program.

Resolution C150419

Moved by D. Messenger and seconded by J. Crook that a letter be forwarded to the Minister of Finance in support of the letter from the Municipality of Shelburne regarding the Nova Scotia Film Industry Tax Credit Program, and that the letter to the Minister be copied to the Municipality of Shelburne and the MLA for Argyle/Barrington.

Motion carried unanimously.

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 on her activities since the last meeting of Council.

Deputy Warden Messenger then reported on recommendations from committees.

Blue Sky Wind Project

Resolution C150420

Moved by J. Crook and seconded by G. El-Jakl that a letter of support for the Blue Sky Wind Project in the Blanche area be provided, providing that all municipal and other government regulations are met.

Motion carried unanimously.

Clyde River Motorcross Ltd.

Resolution C150421

Moved by G. El-Jakl and seconded by J. Crook that the Municipality contact the current owner of the Clyde River Motorcross Ltd. and ask if they will voluntarily re-convey the property to the Municipality due to the lack of use over the past three years.

Moved by J. Crook and seconded by D. Messenger that the above motion be amended to have the Municipal Solicitor contact the owner of Clyde River Motorcross Ltd. requesting that the property be re-conveyed to the Municipality due to his failure to fulfill requirements of the agreement, and that he be requested to provide a response within thirty (30) days.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

The original motion as amended was then put to a vote and carried.

The amended motion now reads as follows:

Resolution C150422

“...that the Municipal Solicitor contact the owner of Clyde River Motorcross Ltd. requesting that the property be re-conveyed to the Municipality due to his failure to fulfill requirements of the agreement, and that he be requested to provide a response within thirty (30) days.”

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

South Shore Tourism Municipal Request

Resolution C150423

Moved by D. Messenger and seconded by J. Crook that the Municipality provide funding to the South Shore Tourism Group in the amount of \$1,140.00 as requested, for the purpose of marketing and promoting the South Shore to tourists during the coming season.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

Civic Number Signs at Villagedale Road

Resolution C150424

Moved by J. Crook and seconded by S. Hatfield that the Municipality obtain a civic addressing sign and install it at the Port LaTour end of the Villagedale Road for the direction of emergency response vehicles.

Motion carried unanimously.

SunLife Pension Plan

Resolution C150425

Moved by D. Messenger and seconded by G. El-Jakl that the Municipality's Pension Plan provider be changed from SunLife Assurance to Standard Life.

AFFIRMATIVE

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

NEGATIVE

Shaun Hatfield

Motion carried.

Yarmouth Hospital Foundation Gala

Resolution C150426

Moved by J. Crook and seconded by G. El-Jakl that the Municipality again provide a \$1,200.00 donation as sponsorship for one table at the Yarmouth Hospital Foundation Annual Gala.

Motion carried unanimously.

Row for Nanny's Cure

Members were previously informed that the *Row for Nanny's Cure* group was requesting to host various activities on municipal property at North East Point near the Causeway. These activities include additional activities besides the rowing of dories. The activities would include the Scott's Timber Show as well as the row being conducted by the Dory Club. In advance to the meeting members reviewed information from our insurers.

Resolution C150427

Moved by S. Hatfield and seconded by D. Messenger that the group wishing to host the *Row for Nanny's Cure* may conduct their event as requested.

Motion carried unanimously.

BMHS Environment Request

Resolution C150428

Moved by G. El-Jakl and seconded by J. Crook that the Municipality provide \$200.00 to the BMHS Environment Club to support their attendance at the Gulf of Maine Institute Conference being held at Acadia University, from the Activities Fund portion of Community Grants.

Motion carried unanimously.

Geomapix Agreement

Resolution C150429

Moved by D. Messenger and seconded by G. El-Jakl that the Warden and Clerk-Treasurer be authorized to enter into a new three year agreement with Geomapix for the provision of digital mapping services to the Municipality.

Motion carried unanimously.

Councillor Jody Crook

Councillor Crook 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 Shaun Hatfield

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

CONTINUATION OF NEW BUSINESS

First Reading – Amendments to By-Law No. 25 - Tax Exemption By-Law, Schedule C

It is proposed that Schedule “C” of By-Law No. 25, “Tax Exemption By-Law”, be amended by deleting the reference to the Port LaTour Volunteer Fire Department since that department has now been amalgamated with the Barrington Volunteer Fire Department, and changing the name of the Barrington Volunteer Fire Department to Barrington/Port LaTour Volunteer Fire Department. Proposed amendments will also delete the Assessment Account Number associated with the Barrington Fire Hall which has now been sold.

Resolution C150430

Moved by D. Messenger and seconded by J. Crook that proposed amendments to Schedule “C” of By-Law No. 25, “Tax Exemption By-Law”, as indicated above, be approved in first reading.

Motion carried unanimously.

Consideration of amendments to Policy 52, “Council Meetings and Proceedings Policy”

Notice of consideration of amendments to Policy 52, “Council Meetings and Proceedings Policy”, was given at the last meeting of Council. It is proposed that Policy 52 be amended to only require video recordings of council meetings, and that the reference to recordings of meetings both audio and video be deleted from the policy.

During discussion of this matter it was noted that at present the special council meetings are not recorded. It was suggested that special council meetings should have an audio recording.

Moved by D. Messenger and seconded by S. Hatfield that Policy 52, “Council Meetings and Proceedings Policy”, be amended as presented.

Moved by S. Hatfield and seconded by J. Crook that the above motion be amended to require video or audio recordings of all special and regular council meetings.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

The amended motion was then put to a vote and carried.

The amended motion now reads:

Resolution C150431

“...that Policy No. 52, “Council Meetings and Proceedings Policy”, be amended to require video or audio recordings of all special and regular council meetings.

AFFIRMATIVE

Jody Crook
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

NEGATIVE

George El-Jakl

Motion carried.

In future, only council meetings will be recorded. Regular council meetings will be video recorded and special council meetings will be audio recorded.

ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

Warden

Clerk

Secretary for the Meeting

On website May 4, 2015.