

The Municipality of the District of **BARRINGTON**

Minutes of the regular meeting of the Barrington Municipal Council, held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Wednesday, April 26, 2000.

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

- Warden Sterling Belliveau
- Deputy Warden Fred Bower
- Councillor Angus Atkinson
- Councillor Eddie Nickerson
- Councillor Wayne Smith
- Councillor Steven Stoddart
- Councillor Tina Wickens

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

APPROVAL OF MINUTES

It was noted that a correction should be made to the minutes under the heading "Report of Warden". The Warden did not attend the meeting in Yarmouth with the Honourable Herb Dhaliwal, Minister of Fisheries and Oceans, Re: The Marshall Decision, as indicated in the Minutes.

It was also suggested that the April 12, 2000 Minutes should indicate that the letter to the Honourable Dhaliwal should be copied to Cecil O'Donnell, MLA for Shelburne County; Gerald Keddy, MP for the South Shore and Tim Surrette, Area Manager of the Department of Fisheries and Oceans.

An error was also noted on Page 2 of the Minutes under the heading "Visitor Information Centre Supervisor". It was noted that the motion reads "Notice of Motion to reconsider be given to the following motion which was approved at the March 22, 2000 Council Meeting". The word "approved" contained in this motion should be changed to "defeated" since it was a motion which did not receive approval of Council.

Moved by A. Atkinson and seconded by W. Smith that the minutes of the last meeting, held April 12, 2000, be approved as amended.

Motion carried.

MATTERS ARISING FROM THE MINUTES

Televised Council Meetings

The Clerk reported that a response has been received from Eastlink Community Television which indicated that the Program Coordinator is currently unavailable to tape Council Meetings. He did offer however to come to Barrington to do some taping, where someone could speak on behalf of Council to update the community on the events of the recent Council Meeting.

Moved by T. Wickens and seconded S. Stoddart that a copy of the letter received from Eastlink Community Television be forwarded to Mr. Richard Nickerson, Port LaTour.

Motion carried.

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Mailboxes

Deputy Warden Bower requested information on the letter sent to Canada Post in which we asked if it would be possible for Canada Post to deliver mail to rural mailboxes in the Port LaTour and Newellton areas. The Clerk advised a written response has not yet been received from Canada Post.

INTERVIEW MARK HURLBURT RE: C & D LANDFILL SITE

Mr. Mark Hurlburt of Hurlburt Construction Ltd. appeared before the meeting. He raised concerns regarding the existing C & D Landfill Site Policy.

He stated that he feels that the requirement for companies outside the Municipality, working within the Municipality, to be charged a fee for dumping debris at the C & D Landfill Site is unfair and borders on discrimination. He is requesting that the policy be reconsidered in an attempt to make the policy fair for everyone.

Moved by T. Wickens and seconded by A. Atkinson that the concerns expressed by Mr. Mark Hurlburt of Hurlburt Construction Ltd. be referred to the Public Works Committee for consideration with the view of possibly amending the C & D Landfill Site Policy.

Motion carried.

CORRESPONDENCE

Family Violence Support Program

The Clerk reported that a letter has been received from the Town of Shelburne supporting the action taken by the Municipal Council for the continuation of funding for the program "Action for Family Violence".

It was noted that this program has been cut as a result of the current Provincial Budget.

Barrington Court Closure

The Clerk reported that a letter has been received from the Office of the Premier acknowledging receipt of our letter, dated April 13, 2000, in which we requested a breakdown of the cost savings associated with the closure of the Barrington Court Facility. The letter advised that the correspondence is being reviewed and a reply can be expected shortly.

Long Term Nursing Care Facility

The Clerk reported that a letter has been received from William Hondas of the Department of Health in which he advised that he is no longer the contact person for matters relating to Long Term Care Facilities due to a recent department reorganization.

He further advised that he has taken the liberty of forwarding our correspondence on to Mr. Robert St. Laurent, Executive Director, Community Care Branch and to Mr. David Chadwick, Director of Operations for Home Care and Long Term Care.

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Moved by T. Wickens and seconded by W. Smith that Mr. Robert St. Laurent and Mr. David Chadwick be asked to meet with the Municipal Council to discuss the establishment of a Long Term Nursing Care Facility within the Municipality of Barrington and that a copy of this letter be forwarded to Shaun Hatfield.

Motion carried.

"Province of Cape Breton"

The Clerk reported that a letter has been received from Mr. R. Scott McLean of Sydney requesting that the Municipality hold a plebiscite, in conjunction with the regular fall election, on the topic of whether Cape Breton should consider forming its own province.

No action was taken on this request.

Adopt-a-Highway Program

The Clerk reported that information has been received from Nova Scotia's Adopt a Highway Program.

The Program is available to interested groups and individuals within the area who wish to adopt sections of the highway through the Adopt a Highway Program, for clean-up.

This information will be kept on file for future reference.

Doctor Crisis

The Clerk reported that a letter has been received from Dr. Cameron Little of the College of Physicians and Surgeons of Nova Scotia. The letter advised that the complaint against Dr. Blair has been referred to a Hearing Committee. The Hearing Committee has not yet met and only a Hearing Committee of Dr. Blair's peers can affect a doctor's licence. Dr. Blair has legal counsel and will have an opportunity to present his side of any complaint. Hearings are public and the

committee's decisions are public documents and available on request.

Dr. Little also provided a copy of a letter addressed to Mr. Leonard Pace of The Coast Guard Newspaper. In that letter he stated "as an independent and quasi judicial body, the College of Physicians and Surgeons of Nova Scotia must not, and will not, be swayed by political pressure".

Moved by W. Smith and seconded by F. Bower that a letter be written to Mr. Little of the College of Physicians and Surgeons of Nova Scotia stating that the intent is not to sway any disciplinary action, but rather to have an accurate statement of actions so that the Municipal Council can take proper steps to maintain a reasonable doctor/patient ratio for the health and well-being of the citizens in the Municipality of Barrington.

Motion carried.

Moved by T. Wickens and seconded by W. Smith that Dr. Little be requested to advise us of the date, time and place of the hearing.

Motion carried.

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The clerk reported that a copy of the letter addressed to the Honourable Jamie Muir has been received from MLA Cecil O'Donnell. The letter expresses concern regarding the current doctor crisis in the area and requests assistance to alleviate the concerns of people living in the Municipality of Barrington and the Town of Clark's Harbour.

CURING CLUB

Richard Nickerson, Phillip Smith and Ron Leary of the Barrington Regional Curling Club appeared before the meeting to provide an update on the fund raising efforts.

Fund Raising to Date:

- Funds on deposit at the CIBC Barrington Branch:	\$42,382.00
- Post-dated cheques held:	\$1,200.00
- Pledges/commitments (receipt upon commencement of construction):	\$11,000.00
- Pledges/commitments:	\$9,800.00
- Total:	\$64,382.00

They advised that additional funding will be forthcoming from both the private and commercial/corporate sectors, within the community, when the contract has been awarded by the Municipality, and construction commences.

They further advised that a Letter of Credit can be arranged with a local financial institution, in the amount of \$35,000.00, which will be backed personally by Directors of the BRCC.

In closing, they advised that it would be in the best interest of all concerned to see this project completed, as a turn-key operation, at the most economical cost.

Members of the BRCC were thanked for making their presentation before Council.

CURLING CLUB PROPOSALS

The Clerk reported that proposals for the curling club design/build were opened at 4:00 p.m., on Thursday, April 20, 2000.

Two proposals were received and are listed below:

	Rikjak Projects Inc.	Delmar Construction Ltd.
Contract Price:	\$689,500.00	\$684,700.00
H.S.T.:	\$103,425.00	\$102,705.00
Subtotal:	\$792,925.00	\$787,405.00
Less H.S.T. Rebate (57.14%):	\$ 59,097.05	\$ 58,685.64
Cost of Project After Rebates:	\$733,827.96	\$728,719.36

The Clerk circulated the recommendation of Vaughn Engineering Ltd. that the proposal received from Rikjak Projects Inc. be accepted, based on the completeness of the proposal and information contained therein.

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Moved by T. Wickens and seconded by F. Bower that the contract for the construction of the Curling Rink be awarded to Delmar Construction Ltd., in the amount of \$787,405.00.

Motion defeated.

Upon the request of two councillors the division was recorded.

FOR	AGAINST
F. Bower	A. Atkinson
S. Stoddart	S. Belliveau
T. Wickens	E. Nickerson
	W. Smith

Moved by F. Bower and seconded by T. Wickens that the contract for the construction of the curling rink be awarded to Rikjak Projects Inc. in the amount of \$792,925.00.

Motion carried.

Upon the request of two councillors the division was recorded.

FOR	AGAINST
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F. Bower	A. Atkinson
E. Nickerson	S. Belliveau
S. Stoddart	W. Smith
T. Wickens	

Report of Warden

The Warden reported that on April 13th and 14th, 2000 he attended the UNSM Spring Workshop. Sessions included Effective Communications, RDA's Under Review, Ask a Lawyer, etc.

The Workshop was also attended by Councillor T. Wickens and Municipal Clerk Brian Holland.

On April 16, 2000 the Warden attended a meeting at the Wood's Harbour Odd Fellows Hall. The Samuel Wood Historical Society has taken over ownership of the Rebekah's Lodge in Wood's Harbour. The purpose of the meeting was to provide an update on the development of plans of the community hall.

On April 19, 2000 the Warden attended an RDA meeting held in Barrington. At that meeting our request for expense claims was considered and copies of claims from January 1999 to present were provided. The evaluation of the need and feasibility of the development of a Fisheries Training School was also considered at that meeting.

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COMMITTEE AND BOARD REPORTS

Finance

Insurance Renewal

The Clerk reported that it is being proposed that the following items be added to the insurance coverage now in place:

1. The deductible of \$2,500.00 on Municipal Liability, third party claims, be removed. The premium will increase to cover the removal of this deductible.
- 2 Environmental Liability Coverage be added to the Policy. This provides a third party liability protection on a "claims made" basis to a limit of \$1,000,000.00 per claim and \$2,000,000.00 in an aggregate limit per year. The deductible under the Environmental Liability is \$2,500.00.
3. Conflict of Interest - Legal Expense Coverage should be added for all Municipal Councillors at a cost of \$50.00 per councillor for a total premium of \$350.00 per year.

WHEREAS members wish to renew the insurance policy and provide adequate coverage for the Municipality and its members;

THEREFORE it is moved by F. Bower and seconded by T. Wickens that the Comprehensive Municipal Insurance Policy be renewed with Bell & Grant Ltd., including the addition of the three (3) amendments discussed by members.

Motion carried.

Marine Resource Centre

Moved by S. Stoddart and seconded by W. Smith that a letter be written to the South West Shore Development Authority requesting that a Marine Research and Training Centre be located within the Municipality of Barrington and request the full support of the Authority to bring this Centre to the Municipality.

Motion carried.

On-call Requirements

WHEREAS members wish to provide for compensation for Public Works Employees while they are providing on-call service;

THEREFORE it is moved by S. Stoddart and seconded by T. Wickens that the on-call requirements as amended and approved by the Finance Committee be added to the job descriptions of all Public Works Department Employees.

Motion carried.

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Purchase of Goodwin Property

WHEREAS members wish to have outstanding claims settled by agreement before proceeding with the purchase of the Goodwin Property;

THEREFORE it is moved by S. Stoddart and seconded by W. Smith that the Municipal Solicitor settle the outstanding claims against this property prior to it being purchased by the Municipality and that a letter be sent to the Waterfront Development Committee informing them of the action being taken by Council.

Motion carried.

Rob Williams Request Re: Benefits

WHEREAS Rob Williams is an employee who has been hired at the Municipal Landfill for a specific period of time;

THEREFORE it is moved by S. Stoddart and seconded by T. Wickens that the request of Rob Williams to be made a permanent employee be denied.

Motion carried.

Public Meeting Re: Budget Cuts to Education

Conflict of Interest

Councillors S. Stoddart and Councillor A. Atkinson both declared a conflict of interest as they are both employed by the South West Regional School Board and retired from the meeting.

WHEREAS a public meeting to be held at the Barrington Municipal High School conflicts with the timing of the regular monthly meeting of the Municipal Council;

THEREFORE it is moved by F. Bower and seconded by T. Wickens that a letter be written to the School Advisory Committee expressing the regret of Council that members will not be able to attend their meeting and asking them to forward the concerns that come from the meeting to Council for their information.

Motion carried.

It was reported that the School Advisory Committee Meeting scheduled to meet this evening has been postponed.

Councillor A. Atkinson and Councillor S. Stoddart then returned to the meeting.

Visitor Information Centre

WHEREAS more specific information is required for the construction of the Visitor Information Centre and members wish to obtain more information from the public regarding the location of the Centre;

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THEREFORE it is moved by S. Stoddart and seconded by T. Wickens that a public meeting be held requesting input from the public regarding the location of the Visitor Information Centre.

Motion carried.

Moved by T. Wickens and seconded by A. Atkinson that the public meeting regarding the location of the Visitor Information Centre be held on May 25, 2000, at 7:00 p.m., in the Conference Room.

Motion carried.

Joint Health Care Committee

The Clerk reported that a letter has been received from K. B. Anthony of Barrington Passage.

Mr. Anthony is willing to provide free rent and power to attract a doctor to the area. He has indicated that he has extra space in the upstairs of the Causeway Professional Centre that would

be rented free to a GP doctor that would practice at least thirty (30) hours a week in the facility.

WHEREAS members of the committee believe it is desirable to provide incentives for the recruitment of doctors in the Municipality of Barrington and the Town of Clark's Harbour;

THEREFORE it is moved by A. Atkinson and seconded by W. Smith that the Municipal Council proceed with an incentive program to attract doctors to the area that would include an incentive fee of \$20,000.00 and an incentive of six month's free rent for their practice, in return for a commitment of two years from any new doctor establishing a practice in the area.

Moved by E. Nickerson and seconded by W. Smith that the above motion be amended to include the offer received from Ken Anthony in the incentive package.

After a brief discussion this motion was withdrawn.

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

Moved by T. Wickens and seconded by F. Bower that Ken Anthony be thanked for his very generous offer and advised that it will be sent along with the incentive package being forwarded from the Municipality of Barrington and the Town of Clark's Harbour.

Motion carried.

Moved by A. Atkinson and seconded by W. Smith that the Municipal Council form a Physician Recruitment Committee consisting of one (1) member from the Barrington Municipal Council, one (1) member from the Town of Clark's Harbour Council, Dr. Yee and, if possible, a member of the Barrington Area Chamber of Commerce.

Moved by T. Wickens and seconded by E. Nickerson that the above motion be amended giving the Committee the authority to increase the membership to include another doctor from the area if deemed necessary.

Motion carried.

The original motion as amended was then voted on and carried.

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WHEREAS members wish to encourage third and fourth year medical students to work in the Municipality;

THEREFORE it is moved by A. Atkinson and seconded by W. Smith that the Municipal Council jointly fund, with the Town of Clark's Harbour, the cost of accommodations for medical students to study at Dr. Yee's practice.

Motion carried.

NOTICE OF MOTION

It was reported that the Notice of Motion given at the last Council Meeting dealing with the reconsideration of motions relating to the Building Inspection Department restructuring and the Visitor Information Centre Supervisor were not valid. The matter has been researched and it has been determined that in order for these motions to be reconsidered it is necessary that unanimous consent of Council be obtained.

Building Inspection Department Restructuring

Moved by F. Bower and seconded by T. Wickens that the Municipal Council reconsider the decision made at the Council Meeting held March 22, 2000 regarding the hiring of a second certified building inspector.

Motion defeated.

Visitor Information Centre Supervisor

Moved by T. Wickens and seconded by F. Bower that the Municipal Council reconsider the motion made at the March 22, 2000 Council Meeting regarding the hiring of Eric Shand as the Visitor Information Centre Supervisor.

Motion defeated.

Councillor Wickens then questioned the rules of procedure since at the February 9, 2000 Council Meeting the above procedures were not followed when reconsidering a previous motion of Council. It was agreed that the Municipal Clerk research this matter and contacted the Municipal Solicitor for advice. Results of the investigation will be presented at the next meeting of Council.

LETTER FROM ERIC SHAND

Councillor Wickens read a letter which was received, by her, from Mr. Eric Shand. The letter advised that he was writing regarding the hiring of the Visitor Information Centre Supervisor. He indicated that it has come to his attention that he was the person chosen by the Hiring Committee for the position and he is now seeking an answer as to why the recommendation of the Hiring Committee to hire him was turned down. He questioned why valuable time and tax dollars were spent on having a Hiring Committee sit down and do interviews then make a recommendation, only to choose another. Mr. Shand suggested that Council should review its hiring practices.

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REQUEST FROM BARRINGTON GROUND SEARCH & RESCUE

The Clerk reported that a letter has been received from Wayne Mullins of the Barrington Ground Search & Rescue Team which advised that they are seeking to locate a permanent site in the Municipality of Barrington to construct a building to store the rescue bus and other equipment. They are asking Council to grant their Team permission to use land located on Sherose Island for

the construction of this building.

Question was raised concerning a motion which had been previously passed designating the fifty- five (55) acres of land located at Sherose Island for recreational purposes only.

It was agreed that this motion will be researched.

Moved by S. Stoddart and seconded by F. Bower that the request from the Barrington Ground Search & Rescue Team be referred to the Public Works Committee for consideration.

Motion carried.

ORGANIC WASTE COLLECTION

A summary of the results of the Waste Collection Program for the first three (3) weeks since we started collecting organic waste separately was provided.

The numbers of green carts, kitchen bins and organic bags has risen significantly from the first week to the third week. The weight of organics collected in the third week also rose significantly. The weight of residential waste is a little more than half what it averaged per week last year.

The Clerk reported that it is still too early to draw any conclusions from this information except to say that the residents of the Municipality are participating in this program more and more each week.

SMALL BUSINESS VENTURE - ROBERT WILLIAMS

It was reported that a response has been received from the Municipal Solicitor regarding the business venture proposed by Robert Williams.

The Solicitor is basically of the opinion that it is entirely up to Council whether they decide that such a conflict is acceptable or not.

If the Municipal Council decides to allow Mr. Williams to carry out this venture then this establishes a precedent which could apply to other employees who wish to go into business or related activities.

Moved by S. Stoddart and seconded by T. Wickens that Mr. Rob Williams be advised that his proposed business venture as outlined in his letter, dated March 14, 2000, would be in conflict of interest with the present job he is carrying out at the Landfill Site and that the resulting conflict would be unacceptable to Council.

Motion carried.

POLICY NO. 38 - CONSTRUCTION & DEMOLITION LANDFILL POLICY

Notice was given at the last meeting of Council that amendments will be considered to the Construction & Demolition Landfill Policy - Policy #38.

The amended Policy provides much more detail than the old policy and provides information on accepted items, items that will not be accepted, fees for non-residents, scavenging and salvaging and hours of operation.

Moved by T. Wickens and seconded by S. Stoddart that the revised Construction & Demolition Landfill Policy be accepted as presented.

Motion carried.

C & D LANDFILL SITE - INSPECTION

The Clerk reported that a field inspection has been carried out by the Department of Environment at the Construction & Demolition Debris Landfill Site. Officials of the Department of Environment have advised that no barrels that contain fiberglass residue and propane tanks are to be deposited at the landfill site. All existing barrels and tanks are to be removed. Removal of the propane tanks has commenced and disposal of the barrels is being researched.

It was suggested that an advertisement be placed in The Coast Guard Newspaper regarding the fiberglass barrels and propane tanks and that signs be posted at the C & D Landfill Site.

Moved by T. Wickens and seconded by S. Stoddart that signs be installed at the C & D Landfill Site and an advertisement be placed in The Coast Guard Newspaper advising the public that barrels containing fiberglass residue and propane tanks will no longer be accepted at the C & D Landfill Site.

Motion carried.

SHELBURNE COUNTY SHELTERED WORKSHOPS

The letter received from the Shelburne County Sheltered Workshops was once again considered by the Municipal Council.

Moved by W. Smith and seconded by T. Wickens that a Letter of Support be forwarded to the Shelburne County Sheltered Workshops supporting their initiative for residential options for persons with disabilities.

Motion carried.

The letter also welcomed a member of the Municipal Council to serve on the Board again.

Moved by T. Wickens and seconded by W. Smith that the Shelburne County Sheltered Workshops be contacted to determine whether any Municipal Official is currently serving on the Board of Directors.

Motion carried.

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SAMUEL WOOD HISTORICAL SOCIETY

The Clerk reported that a letter has been received from the Samuel Wood Historical Society which advised that the Society has recently acquired the ownership of the I.O.O.F. Hall in Wood's Harbour. The building will be used for a museum in order to retain and maintain this historical building and they are requesting the Municipality to place the property on the Museum List for the 2000 taxation year.

Another letter has also been received from the Samuel Wood Historical Society in which they request a grant from the Municipal Council to assist with the opening of the museum.

Moved by S. Stoddart and seconded by T. Wickens that both requests received from the Samuel Wood Historical Society be referred to the Finance Committee for consideration.

Motion carried.

GUARANTEED LINE OF CREDIT - BAY SIDE HOME

It is agreed that this matter be left as a standing item on future agendas until we reach the appropriate time for this matter to be dealt with.

CELEBRATE CANADA 2000

The Clerk reported that information has been received from the Department of Canadian Heritage and the Celebrate Canada Committee advising that they are working together to promote activities during the "Celebrate Canada Campaign" which extends from June 21, 2000 to July 1, 2000. The program provides some financial incentives for community groups which are interested in organizing activities during this period of time. Deadline for applications for funding is May 1, 2000.

DELIVERY OF GREEN CARTS

It was reported that Waste Check is experiencing difficulties in delivering green carts. It is necessary for individuals to be at home at the time of delivery since a signature is required.

Moved by T. Wickens and seconded by S. Stoddart that Waste Check no longer be required to obtain signatures for green carts delivered to residents who have called and requested a cart and that the invoice for these green carts include the name of the resident, civic address and the date the green cart was delivered.

Motion carried.

SOUTH WEST SHORE DEVELOPMENT AUTHORITY EXPENSE POLICY & CLAIMS

The Clerk reported that the Expense Policy has been received from the South West Shore Development Authority. Expense claims for the period March 15, 1999 to March 3, 2000 were given to the Warden by RDA personnel and subsequently copied to Councillors for their information.

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Moved by T. Wickens and seconded S. Stoddart that a letter be written to the South West Shore Development Authority thanking them for the claims provided but once again request that expense claims paid from October 1997 to present be provided.

Motion carried.

EDWARD & ELLEN GOODWIN PROPERTY

At the last Council Meeting the question was raised as to whether or not the Municipal Council can legally make a motion to purchase the Goodwin Property when there is already a recorded motion dealing with this matter.

A response has now been received from the Municipal Solicitor and it is his opinion that the first motion should be rescinded before another motion is made.

Moved by W. Smith and seconded by E. Nickerson that the motion to purchase the Goodwin Property contained on Page 10 of the minutes of the Council Meeting held February 23, 2000 be rescinded.

The proper procedure to be followed to rescind a motion was then questioned.

Moved by S. Stoddart and seconded by T. Wickens that the above motion be tabled until clarification is obtained.

Motion carried.

ADJOURNMENT

Moved by F. Bower and seconded by W. Smith that the meeting adjourn.

The meeting was adjourned at 9:50 p.m.

