

# 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, December 13, 2000.

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

- Warden Sterling Belliveau
- Councillor Angus Atkinson
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Eddie Nickerson
- Councillor Wayne Smith
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

Councillor Fred Bower was absent due to work commitments.

## ADDITION TO AGENDA

- Closed Session Re: Acquisition of Property

## APPROVAL OF MINUTES

Moved by A. Atkinson and seconded by D. Hunt that the minutes of the last meeting held November 22, 2000 be approved as circulated.

Motion carried.

## MATTERS ARISING FROM THE MINUTES

Marshall Nickerson Re: Noise By-law

The Clerk reported that a response has been received from the Municipal Solicitor regarding the concerns raised by Mr. Nickerson at the November 22, 2000 Council Meeting.

Mr. Nickerson had expressed concern regarding the noise created by the business operating next door to his residential property.

By-law No. 9 has been reviewed by the Municipal Solicitor and he has advised that Mr. Dedrick's business is clearly violating the by-law by creating noise between the hours of 9:00 p.m. and 9:00 a.m., however, the phrase in the by-law "without reasonable cause" creates a defense to that section. The

Solicitor has advised that in this instance the operation of a business which, by its nature, creates noise, means Mr. Dedrick is not creating a disturbing noise "without reasonable cause". The nature of building lobster traps is one which necessitates a noise from the machinery used to fabricate them. Such noise is a natural consequence of the business and, therefore, would not fall under the provisions for which the by-law was created.

The Municipality would, therefore, not be within its authority to charge Mr. Dedrick with a violation.

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The Municipal Solicitor has suggested that Council write a letter to Mr. Dedrick advising him that his business is creating an unacceptable level of noise which is disturbing neighboring properties.

The Clerk advised that Mr. Aldon Dedrick telephoned him and advised that there have been two (2) mornings only that he started work at 6:00 a.m. and the latest he has worked in the evening is 9:00 p.m. Mr. Dedrick advised that Mr. Nickerson has never approached him regarding the noise.

It was the general consensus of Council that Mr. Nickerson be advised of the opinion received from the Municipal Solicitor regarding this situation.

#### Shelburne County Sheltered Workshops

The Clerk reported that a letter has been received from the Shelburne County Sheltered Workshops thanking Council for their interest in being part of the Board, but advised that they are currently at their limit of fifteen (15) members. The letter advised that the names of the representatives will be passed on to the Nominating Committee, to be added to the list of members at their next annual meeting, to be held in June 2001.

This letter generated some concern since the request to have a Council representative serve on the Board came from the Sheltered Workshop.

#### INTERVIEW STEVEN STODDART RE: REQUEST FROM SHELBURNE COUNTY COMMUNITY HEALTH BOARD

Steven Stoddart appeared before the meeting and advised that he attended the Reception held for the launching of the Resource Directory prepared by the Shelburne County Community Health Board. The meeting was held on November 28, 2000 at 7:00 p.m., in the Administrative Centre.

Mr. Stoddart expressed his disappointment that no Council representative was present. Mr. Stoddart also suggested that a letter of thanks be forwarded to Patty Pippy of the Shelburne County Community Health Board for the directory.

The Clerk advised that two directories have been presented to the Municipality by the Shelburne County Community Health Board. One is being kept in the Municipal Office for safe keeping and the other is on display in the Tax Office.

Moved by D. Hunt and seconded by W. Smith that a letter be forwarded to Patty Pippy of the Shelburne County Community Health Board thanking the Board for the preparation of the Resource Directory and extending Council's apology for not having a representative present at the November 29, 2000 Reception.

Motion carried.

Councillor Nickerson suggested that a copy of the Resource Directory be put in the Municipal Library for easy access by the public.

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#### INTERVIEW KENT BLADES RE: V.I.C.

Mr. Kent Blades appeared before the meeting and requested Council to consider the Barrington Consolidated School for the location for the new Visitor Information Centre. Mr. Blades advised that the following reasons make this site a prime location for a Visitor Information Centre:

- The building is located on a connector road to the 103 highway.
- Visible and inviting location for passing traffic.
- Sufficient parking.
- Ample space for Visitor Information Centre and other support organizations; such as, local museums, arts and crafts, environmental groups, etc.
- Ample space to set up audio and visual displays to promote the Municipality.
- It would cost less to renovate this building than to construct a new building for the Visitor Information Centre.
- A new building would not be ready for operation for the upcoming tourist season.

Mr. Blades was thanked for appearing before Council and making his presentation and he was requested to forward his suggestion on to the Municipal Clerk so that it may be considered with other expressions of interest.

#### CORRESPONDENCE

##### Assessment Costs

The Clerk reported that a letter has been received from the Minister of Service Nova Scotia & Municipal Relations, in response to our letter dated October 20, 2000, expressing concern regarding the proposed Assessment Service Cost Recovery.

The letter advised that the provincial government is not in a position financially to forego the implementation of cost recovery for assessment services. In closing, he advised that he can understand and appreciate Council's displeasure regarding a possible \$110,000.00 increase in annual expenditures, resulting from the province's decision to recover the cost of assessment services. However, viewed in the context of the ongoing upload of social services costs, which will result in a net gain of nearly \$57,000.00 per year, for the municipality, and its property tax payers, a decision on the part of the province to cover the cost of assessment services would not appear to be that unreasonable.

Moved by E. Nickerson and seconded by L. Halliday that the letter received from the Minister of Service Nova Scotia & Municipal Relations be referred to the Public Works Committee for further consideration and the preparation of a response.

Motion carried.

Intervener Status

The Clerk reported that this matter can be deleted from the Council agenda.

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## REPORT OF WARDEN

Call Centre

The Warden reported that he attended a meeting of the South West Shore Development Authority on December 7, 2000 regarding the proposed Call Centre.

He advised that steps were being taken to attract an incoming Call Centre to Shelburne County. It is anticipated that this Call Centre would employ 500 people.

Family Violence Program

The Warden reported that he met with representatives from the Municipality of Shelburne and the Town of Clark's Harbour on December 7, 2000 to discuss funding of the Family Violence Program and contact has been made with the Town of Lockeport and the Town of Shelburne.

It appears that the municipal units in Shelburne County are agreeable to fund the Family Violence Program, on a per capita basis, if reviewed yearly. This would result in the following costs breakdown:

- Municipality of Barrington 46% (\$16,100.00)
- Municipality of Shelburne 31% (\$10,850.00)
- Town of Shelburne 13% (\$4,550.00)
- Town of Clark's Harbour 6% (\$2,100.00)
- Town of Lockeport 4% (\$1,400.00)

It was noted that the Town of Shelburne has agreed to fund the Family Violence Program on a per capita basis for the remainder of the current fiscal year and funding will be reviewed thereafter on a yearly basis.

Moved by D. Hunt and seconded by W. Smith that funding of the Family Violence Program be referred to the next Finance Committee for further discussion.

Motion carried.

## COMMITTEE AND BOARD REPORTS

Recreation & Facilities Management Committee

Employee Probationary Period

Moved by E. Nickerson and seconded by D. Hunt that Dawn Johnson, having completed her probationary period and received a satisfactory performance evaluation, be hired as a permanent Arena canteen employee.

Motion carried.

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Waterfront Development Committee

Councillor Smith informed members that there was no quorum at the last scheduled Waterfront Development Committee Meeting.

Councillor Smith requested an update on the purchase of the Goodwin property and the Clerk advised that the property had now been purchased by the Municipality and the survey has been completed. He further informed members that the sale of the 1/4 interest in the former Seth Nickerson property and the former Gilbert Trask property have both been finalized.

#### PUBLIC HEARING RE: PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW

At 8:00 p.m. a Public Hearing was held to deal with proposed amendments to the Municipal Planning Strategy and Land Use By-law.

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

#### CONTINUATION OF COMMITTEE AND BOARD REPORTS

Public Works Committee

R.V. Dumping Station

Moved by W. Smith and seconded by D. Hunt that the Municipality install an R.V. Dumping Station at Sherose Island near the top of the hill close to the Sewage Treatment Plant and put directional signage in place to inform the traveling public of this facility.

Motion carried.

C & D Landfill Site

The Clerk reported that a letter has been received from the Department of Environment advising that they are now requiring all construction, demolition, waste disposal sites to meet the standards outlined in the "Nova Scotia Department of the Environment Construction Demolition Debris Disposal Site Guidelines, October 1997".

To obtain or maintain an approval from the Department, the site must be upgraded and operated in

accordance with the guidelines and in accordance with the implementation schedule.

Moved by W. Smith and seconded by D. Hunt that the Municipality conduct the engineering evaluation required to determine whether or not the Construction & Demolition Debris Landfill Site at Clement's Pond can be upgraded to standards accepted by the Department of Environment.

Motion carried.

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New Year's Levee

Moved by W. Smith and seconded by L. Halliday that the Municipality host a New Year's Levee on January 1, 2001, from the hours of 3:00 to 5:00 p.m., at the Sherose Island Recreation Centre and that this levee be advertised in the local newspaper and on the local cable T.V. channel.

Motion carried.

Crosswalk in Barrington Passage

Moved by W. Smith and seconded by D. Hunt that a letter be sent to our local MLA requesting that he contact the Minister of Transportation in order to have a crosswalk placed in front of the Barrington Municipal High School.

Motion carried.

South West Shore Development Authority

Councillor Halliday advised that she recently attended a South West Shore Development Authority meeting at the Sound Stage in Sandy Point. Minutes of this meeting will be circulated to members.

Meeting Re: Volunteerism

Councillor Halliday informed members that she recently attended a meeting concerning Volunteerism. One of the main concerns of the Committee was to ensure that volunteers were recognized. The Committee will be working on a Volunteer Database.

Waste Check

Councillor Halliday informed members that she recently attended a meeting of Waste Check.

During discussion it was noted that Walter MacAlpine is no longer a member of Waste Check. He was defeated in the recent Municipal Elections. Robert Thibault is no longer a member of Waste Check since he was recently elected MP for West Nova.

Moved by L. Halliday and seconded by W. Smith that a letter of thanks be forwarded to Mr. Walter MacAlpine and a letter of congratulations and thanks be forwarded to Mr. Robert Thibault.

Motion carried.

Members were also informed that Warden Jean Melanson has been elected Vice-Chairman of Waste Check.

#### VARIANCE APPEAL - NORDSEA LTD.

The Clerk reported that the Variance Appeal had been referred to the Public Works Committee, by Council, at their meeting held November 22, 2000. The Public Works Committee has now had an opportunity to discuss the brook located on the property in question with the Department of Environment.

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Moved by D. Hunt and seconded by A. Atkinson that the variance appeal submitted by Nordsea Ltd. be denied.

Motion carried.

#### HIRING COMMITTEE

Councillor Halliday expressed the following concerns regarding the Hiring Committee:

- All councillors currently sit on this committee.
- Applicants are intimidated by the number of people interviewing them.
- Council has no more dealings with employees after they are hired so why should all members of the Council be on the Hiring Committee. Employees deal directly with the head of their department and Councillor Halliday feels that department heads should be doing the hiring.

Moved by L. Halliday and seconded by E. Nickerson that the Clerk, head of the department for which the employee is being hired and the Chairman of the Committee for the department make up the Hiring Committee.

Much discussion took place regarding this motion. At one point the Warden turned the chair over to the Deputy Warden in order that he could speak on the motion.

The Warden then resumed the chair.

Moved by E. Nickerson and seconded by L. Halliday that the above motion be postponed to the first Council meeting after the next Hiring Committee meeting.

Motion carried.

#### CLOSED SESSION

A Closed Session of Council was held at this time to deal with the acquisition of property.

The meeting was called back to order.

## DONATION OF LAND

It was reported that Hassan El-Jakl would like to donate a small piece of land to the Municipality which is located in Baccaro and measures approximately 50' X 60'.

Moved by W. Smith and seconded by D. Hunt that the Municipality accept the donation of land located in Baccaro from Hassan El-Jakl subject to all outstanding taxes being paid and that a letter of thanks be forwarded to him.

Motion carried.

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## ADJOURNMENT

Moved by A. Atkinson and seconded by D. Hunt that the meeting adjourn.

The meeting was adjourned at 9:32 p.m

## **PUBLIC HEARING RE: AMENDMENTS TO MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW**

**December 13, 2000**

The Public Hearing was called to order by the Warden at 8:00 p.m., in the Council Chambers, in the Administrative Centre, in Barrington, N.S. with the following members present:

- Warden Sterling Belliveau
- Deputy Warden Eddie Nickerson
- Councillor Angus Atkinson
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

Absent was Councillor Fred Bower due to work commitments.

It was reported that the Public Hearing was being held to deal with proposed amendments to the Planning Strategy and Land Use By-law.

Proposed amendments will change the definition of "salvage yard" contained in the Land Use By-law so that it will be consistent with the definition used by the Nova Scotia Department of Environment.

The definition of salvage yard is: "Salvage yard means an area of land, or lot, including any building or structure used for the receipt, storage, sale, re-sale and processing of waste or surplus automobiles, transportation vehicles or industrial equipment, including any parts or pieces that have been removed, but does not include a scrap yard or recycling depot".

Proposed amendments will also change the Land Use By-law to include other and miscellaneous uses on Municipal properties.

Amendments will include changes to the Municipal Planning Strategy and Land Use By-law to make definitions for sewers consistent with the Municipal Government Act and to amend wording for sanitary sewer requirements.

The Clerk reported that the required Public Participation Meeting had been held on September 26, 2000 at 7:00 p.m. and that the required publication of notices for the required Public Hearing being held this evening were duly advertised.

There were no presentations, either verbal or written made by the public at this time.

The Public Hearing was then adjourned.

