

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, January 10, 2001.

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

- Warden Sterling Belliveau
- Deputy Warden Eddie Nickerson
- Councillor Angus Atkinson
- Councillor Fred Bower
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith

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

DELETION OF AGENDA ITEM

It was agreed that Item #9 "Closed Session Re: Potential Litigation" be deleted from the Council Agenda.

APPROVAL OF MINUTES

Moved by L. Halliday and seconded by A. Atkinson that the minutes of the last meeting held December 13, 2000 be approved as circulated.

Motion carried.

MATTERS ARISING FROM THE MINUTES

Native Fishery

The Clerk reported that responses have been received from the following regarding the possible funding or assisting in the funding of research dealing with the "historical attachment" of native bands to their traditional fishing grounds.

The Municipality of Shelburne has agreed to support and participate in a tri-county discussion of the native fishery issue as it pertains to the definition of "historical attachment". Council's participation is contingent upon there being unanimous agreement amongst all units in the tri-counties to enter into such discussions.

The Municipality of Argyle has advised that they will not participate financially at this time until there is more information available on costs.

The Municipality of Digby has advised that they would like to know more about the scope of the project and the geographical area to be included.

The Town of Shelburne has advised that they are unable to provide funding for this project at this time.

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The Town of Yarmouth has advised that at this time, while the process appears to be going forward and working, Council has deferred any commitment to this kind of activity indefinitely. However, Council wouldn't foreclose working with the Municipality of Barrington at a future date if the need seems to arise.

Nova Scotia Fisheries Loan Board Policy

The Clerk reported that as a result of the motion of Council that the Nova Scotia Fisheries Loan Board be requested to revise its lending policy, responses have been received from the Municipality of Digby, Municipality of Argyle, Municipality of Shelburne and the Town of Shelburne. They have all advised that they support the position taken by the Municipality of Barrington requesting that the Nova Scotia Fisheries Loan Board revise their lending policy.

Federal Gas Tax

The Clerk reported that a response has been received from the Office of the Prime Minister regarding the Federal Gas Tax. The letter advised that our comments have been carefully reviewed and have been forwarded to the Minister of Finance and the Minister responsible for Infrastructure, for their information and consideration.

Reinstatement of Survivor Pension Benefits

The Clerk reported that a letter has been received from the Minister of Justice regarding the request of Council for the Premier to drop his appeal of the decision of the Supreme Court of Nova Scotia regarding the entitlement to the payment of compensation benefits which were taken away upon remarriage. The letter advised that the appeal raises complex legal issues of general application well beyond the facts of the immediate case and it is important that all parties submit to the jurisdiction of the court to allow adjudication of the matter.

Bay Vista Sign

The Clerk reported that a letter has been received from the Tri County Housing Authority advising that the sign on Bay Vista, indicating it is a Senior Citizens Complex, has been removed as a result of the request of Council.

Moved by W. Smith and seconded by D. Hunt that the Tri County Housing Authority be requested to advise of the current classification of Bay Vista Apartments since it is no longer a seniors complex.

Motion carried.

CORRESPONDENCE

Disposal of Syringes & Needles

The Clerk reported that a letter has been received advising that the Department of Environment & Labour and the Resource Recovery Fund Board have successfully negotiated a Voluntary Industry Stewardship Program for the safe disposal of household syringes and needles. This program will provide added protection to municipal and private workers in the waste management industry. The full program will be publically launched the first week of March 2001.

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REPORT OF WARDEN

The Warden reported that on January 1, 2001 he attended New Year's levees held by

the Town of Shelburne and the Municipality of Shelburne, as well as the levee held by our Council.

On January 1, 2001 he also attended two wedding anniversary celebrations; one for Phyllis and Thomas Swaine and the other for Neil and Ina Nickerson.

On January 6, 2001, the Warden attended the official opening of the Barrington Regional Curling Club. At that time a challenge was issued by the Deputy Mayor of Clark's Harbour for the Municipality to participate in a curling fun night. It was agreed that the Clerk would pursue this matter.

COMMITTEE AND BOARD REPORTS

Finance and Administration Committee

Tax Write-offs

Pamela Porter - Mobile Home

Moved by D. Hunt and seconded by L. Halliday that the balance of taxes and interest for the 1999 fiscal year on the mobile home in the name of Pamela Porter be written off. The approximate balance of these taxes is \$132.51.

Motion carried.

Cathy Thibeault - Mobile Home

Moved by D. Hunt and seconded by W. Smith that the balance of taxes and interest on a mobile home assessed in the name of Cathy Thibeault for the 1999 fiscal year be written off in the amount of \$18.38.

Motion carried.

W.H. Atkinson - Commercial Equipment Tax

Conflict of Interest

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

Moved by D. Hunt and seconded by W. Smith that the Commercial Equipment Tax, plus interest, in the amount of \$408.85 on the account of W.H. Atkinson Seafoods Ltd. be written off.

Motion carried.

This business is closed and the assessment has been deleted from the Assessment Roll for the current year.

Councillor Nickerson then resumed his seat at the table.

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Request from Bear Point Rifle Club

Moved by D. Hunt and seconded by L. Halliday that \$500.00 be granted to the Bear Point Rifle Club from the District 2 Contingency Fund for the purpose of installing a new floor in the Club.

Motion carried.

Request from Atwood's Brook Cemetery

Moved by D. Hunt and seconded by L. Halliday that a grant in the amount of \$1,000.00 be approved for the Atwood's Brook Cemetery out of the District 2 Contingency Fund.

Motion carried.

Family Violence Program

Moved by D. Hunt and seconded by E. Nickerson that the Municipality is unable to fund the Family Violence Program because it is unable to get adequate funding commitments from the other municipal units in the county.

Motion carried.

Amendment to Personnel Policy

Moved by D. Hunt and seconded by F. Bower that as a result of the recommendation of the Finance Committee that the Personnel Policy be amended to include Article 8B

"Promotion and Hiring of Staff" that, notice be served by Council that the proposed amendments will be dealt with at the January 24, 2001 Council meeting.

Motion carried.

Bay Side Home Taxes

Moved by D. Hunt and seconded by E. Nickerson that the Clerk contact the Administrator of Bay Side Home and inform her that taxes are due and payable with the related interest and if the Administrator wishes to dispute this assessment, she should contact the Assessment Division of Service Nova Scotia and Municipal Relations in the same way that any other taxpayer would deal with this matter.

Motion carried.

The letter being sent to the Administrator will explain that Bay Side Home is taxable because the Assessment Services Division of Service Nova Scotia and Municipal Relations deems that it is no longer serving a Municipal purpose.

Barrington Regional Curling Club Requests

Moved by D. Hunt and seconded by L. Halliday that the request of the Barrington Regional Curling Club for funds from District Contingency Funds be denied.

Motion carried.

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Moved by D. Hunt and seconded by W. Smith that a letter be sent to the Barrington Regional Curling Club indicating that it qualifies in the same manner as the Arena or any other Municipally owned recreation facility, for funding from the Arena Fundraising Committee, and that the Arena Fundraising Committee will make recommendations for funding where it wishes to use funds it raises, subject to approval of Council.

Motion carried.

Annual Increment - Jamie Crowell

Moved by D. Hunt and seconded by A. Atkinson that Jamie Crowell, having completed another year of service and having received a satisfactory performance evaluation, receive his annual increment in the amount of \$522.00.

Motion carried.

Trail Grant Advance

WHEREAS the Municipality has already expended funds on the Destination Trails Project;

THEREFORE it is moved by D. Hunt and seconded W. Smith that the Municipality apply for an advance on the Destination Trails Project Grant.

Motion carried.

Infrastructure Application

WHEREAS the Municipality of Barrington wishes to make application to the Canada/Nova Scotia Infrastructure Works Program for the current year;

AND WHEREAS this application must be made by January 15, 2001;

THEREFORE it is moved by D. Hunt and seconded by F. Bower that the Municipality of Barrington make application under the Canada/Nova Scotia Infrastructure Works Program for two (2) projects. First, upgrading the Construction & Demolition Debris Landfill Site so that it meets Department of Environment regulations. Second, relocation of the Barrington Municipal Library to meet the requirements of the Western Counties Regional Library.

Motion carried.

Moved by D. Hunt and seconded by F. Bower and carried:

WHEREAS the Municipality of Barrington wishes to construct a larger and more modern library for the use of its residents;

AND WHEREAS the Municipality of Barrington wishes to apply to the Canada/Nova Scotia Infrastructure Works Program for funding to construct a library;

THEREFORE BE IT RESOLVED that the Municipality of Barrington approve the

construction of a Municipal Library at a cost of approximately \$212,858.00, pending approval of funding applications;

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AND BE IT FURTHER RESOLVED that the Municipality finance this construction in the following manner:

1. Municipal Financing - current operating budget (2001/2002) - \$10, 946.00
 - Debenture Funding - \$60,000.00
2. Canada/Nova Scotia Infrastructure Works Program - \$141,912.00

AND BE IT FURTHER RESOLVED that the Municipality approve the continuing operation of the Barrington Municipal Library by the Western Counties Regional Library with the Municipality funding the continuing physical maintenance of the facility.

Moved by D. Hunt and seconded by F. Bower and carried:

WHEREAS the Municipality of Barrington wishes to build a Construction and Demolition Debris Landfill that complies with the Provincial Department of Environment Regulations;

AND WHEREAS the Municipality of Barrington wishes to apply to the Canada/Nova Scotia Infrastructure Works Program for funding to build a Construction and Demolition Debris Landfill;

THEREFORE BE IT RESOLVED that the Municipality of Barrington approve the building of a Construction and Demolition Debris Landfill at a cost of approximately \$205,000.00 pending approval of funding applications;

AND BE IT FURTHER RESOLVED that the Municipality finance this construction in the following manner.

1. Municipal Financing - current operating budget (2001/2002) \$11,667.00
 - Debenture financing \$50,000.00
2. Western Region Solid Waste Authority \$ 5,000.00

3. Canada/Nova Scotia Infrastructure Works Program \$133,333.00

AND BE IT FURTHER RESOLVED that the Municipality approve the continuing operation of the Construction and Demolition Debris Landfill.

Infrastructure Priorities

WHEREAS the Municipality wishes to identify a preliminary list of priorities for the Canada/Nova Scotia Infrastructure Works Program;

THEREFORE it is moved by D. Hunt and seconded by E. Nickerson that all remaining infrastructure projects, except for the Visitor Information Centre, be identified for the Canada/Nova Scotia Infrastructure Works Program on their preliminary list of priorities in the order previously established by the evaluation of members, which is as follows:

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1. C.S.I. Sewer
2. Long Term Care Facility
3. Industrial Development
4. Waterfront Development
5. Barrington Sewage Treatment Plant Evaluation
6. Tourist Rest Stop
7. Recreation Facilities
8. Wood's Harbour Sidewalk

Moved by D. Hunt and seconded by E. Nickerson that the C.S.I. Sewer Study be identified as a specific case and that we seek additional funding to enable us to have the project carried out.

Motion carried.

Waterfront Development

Councillor Halliday reported on the last two (2) meetings of the Waterfront Development Committee.

She advised that the Committee has decided to split Tender No. 2 into two (2) parts; graveling and signage. A meeting is scheduled to be held on February 5, 2001 at 6:30 p.m. to deal with this matter.

Councillor Halliday advised that it was the decision of the Waterfront Development Committee to shorten the trail. The trail will now end in the vicinity of the bridge near George Newell's property. Many approvals are required to upgrade the bridge and the Committee felt it was best to shorten the trail than to delay the project.

Councillor Halliday also advised that a letter of resignation has been received from Robert Hopkins, which was read.

Moved by L. Halliday and seconded by D. Hunt that the resignation of Robert Hopkins be accepted with regret.

Motion carried.

Moved by L. Halliday and seconded by W. Smith that Lillian Perry be appointed to serve as a member of the Waterfront Development Committee.

Motion carried.

Volunteer Committee Meeting

Councillor Halliday advised that she recently attended a Volunteer Committee Meeting. The Committee is currently working on compiling data for a volunteer database. It is also the suggestion of the Committee that Municipal units be contacted and requested to plant a tree in recognition of volunteers. An official request from the Committee will be forthcoming.

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S.W.S.D.A.

Councillor Halliday also reported that on December 20, 2000 she attended a S.W.S.D.A. meeting and briefly reported on the meeting. One item discussed at that meeting was the Volnet Program and she wanted to make councillors aware that there was funding available for non-profit organizations to purchase a computer.

It was reported that on January 20, 2001 the S.W.S.D.A. will be holding a meeting to

discuss priorities. This meeting will be held at the Shelburne Fire Hall from 8:30 a.m. to approximately noon.

Waterfront Development

Much discussion then took place regarding the shortening of the Waterfront Development Trail.

The Letter of Authority has been received from the Department of Natural Resources which identifies the trail. It was suggested that if it is the wish of Council to shorten the trail then the Letter of Authority should be amended. The letter currently indicates that the Municipality will be responsible for repair and maintenance of the bridge.

Moved by E. Nickerson and seconded by D. Hunt that a letter be written to the Department of Natural Resources advising them that the Waterfront Development Trail will end in the vicinity of the bridge located near the property of George Newell and will not continue past the bridge.

Moved by F. Bower and seconded by D. Hunt that the above motion be tabled until the next meeting of Council in order that the Clerk may contact the Department of Natural Resources for additional information.

Motion carried.

Public Works Committee

Municipal Crest Design

WHEREAS members wish to provide advertising material promoting the Municipality as the "Lobster Capital of Canada";

AND WHEREAS members wish to establish a Municipal flag;

THEREFORE it is moved by W. Smith and seconded by E. Nickerson that Municipal pins be ordered using the original design provided by John Smith and incorporating a real lobster in that design and that a Municipal flag be ordered incorporating the third design provided by Mr. John Smith which included both the Canadian and Nova Scotian flag.

Motion carried.

Environmental Review

Moved by W. Smith and seconded by F. Bower that the Municipality respond to the Department of Environment's request for comments on the document "Solid Waste Resource Management - Strategy for Nova Scotia" with the following comments:

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1. There is a lack of advance planning done by the Province when bans on landfilling certain materials are put in place. The Department should first have developed an alternative method of disposing of the banned materials.
2. There is a lack of enforcement by the Department. The Department does not enforce its regulations consistently from one area of the province to another so that recycling, composting and burning are treated differently in various parts of the province.
3. There is a lack of coordination. Different regulations are being applied in different areas of the province.
4. There is no adequate provision for the disposal of hazardous wastes throughout the province. This is a costly problem for which the province should be supplying a solution. Small municipalities and towns cannot afford to establish facilities for this purpose.
5. The Province is imposing environmental regulations that are costing municipalities because municipalities must manage the resulting disposal systems. This is evident in the increasing costs of the collection and disposal of solid waste of all types. The province must provide more financial assistance to municipalities who are trying to comply with their regulations and must penalize those who are not.

Motion carried.

Department of Transportation

WHEREAS members wish to obtain information concerning the priorities of the paving of roads in the Municipality, by the Department of Transportation;

THEREFORE it is moved by W. Smith and seconded by D. Hunt that a letter be sent to the Department of Transportation requesting their criteria for identifying new

paving projects in the Municipality and that a copy of this letter be sent to our local MLA.

Motion carried.

Planning Advisory Committee

Loyalist Lanes Request

Mr. Gilbert Huskins, proposed Manager at Loyalist Lanes, appeared before the meeting. He informed Council that he was there on behalf of Loyalist Lanes.

Loyalist Lanes has made application for a lounge licence for their premises located at 349 Oak Park Road. Mr. Huskins is requesting that the Municipal Council support their efforts to obtain a lounge licence.

The matter was discussed in detail and Mr. Huskins was advised that a letter has been received by the Planning Advisory Committee from Solicitor Celia Melanson on behalf of Loyalist Lanes requesting Council's support of the application. The matter was discussed at the Planning Advisory Committee Meeting and the recommendation of the Committee was that the request be denied.

Moved by W. Smith and seconded by L. Halliday that the request of Celia J. Melanson on behalf of Loyalist Lanes for support of a lounge licence in a Rural Development Zone be denied.

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Upon the request of two (2) councillors the division was recorded.

FOR	AGAINST
Angus Atkinson	Fred Bower
Sterling Belliveau	
Louise Halliday	
Dwayne Hunt	
Eddie Nickerson	
Wayne Smith	

Mrs. Melanson will also be advised that re-zoning is not required in order to accommodate a lounge licence in the Rural Development Zone. In order to do this it would be necessary that the Municipal Planning Strategy be amended. Such

amendments would require a change in Council's philosophy in relation to the location of lounges, taverns and cabarets in the Rural Development Zone.

Mr. Huskins was advised that if it is the intent of Loyalist Lanes to pursue this matter and request a change to the Municipal Planning Strategy then the required application forms should be completed and submitted for consideration.

Waste Check

Deputy Warden Nickerson and Councillor Bower both provided a brief report on the December 29, 2000 Waste Check meeting.

Recreation

Department Goals

Moved by E. Nickerson and seconded by D. Hunt that the following list of department goals for the Recreation and Facilities Department be approved:

1. To improve the Sherose island playground to proper standards.
2. To develop and properly maintain trails on Sherose Island.
3. To upgrade the quality of the tennis facility on Sherose Island.
4. To introduce a new program each year.
5. To offer programs outside Barrington/Barrington Passage.
6. To heighten awareness of all Recreation Programs available throughout the Municipality.

Motion carried.

INTERVIEW GRANT MILROY RE: IMPORTANT BIRD AREA COMMUNITY ACTIONFUND

Mr. Grant Milroy appeared before the meeting and informed Council of a proposal to develop eco tourism through bird conservation.

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Mr. Milroy advised that they have an opportunity to develop the eco tourism potential of the Municipality of Barrington with a federal grant of up to \$5,000.00. Local conservation action can develop a strategy of education which will assist the general public to enjoy the natural heritage of our local area.

The organization is proposing that interpretive signs be installed at The Hawk and Daniel's Head and directive signs be installed at the junction of Highway #103 & Highway #3 and the Causeway, which help people orient themselves. Smaller "hot spot" signs would also be erected and placed in close proximity to the best birding spots in the area.

The interpretive signs explain the birding opportunities of the area and highlight the ecology and conservation needs for the piping plover as well as other less known bird species. The organization plans to provide minimal hospitality at the Hawk and Daniel's Head for visiting birders, i.e. toilet and picnic table.

It was noted that the Municipality of Barrington has placed portable toilets and picnic tables at Daniel's Head and the Hawk in the past. It was suggested that this could be included as "in kind" contribution towards the project.

Local education and monitoring of key bird species which use our area for nesting and migration would also be included in the program.

Moved by L. Halliday and seconded by A. Atkinson that the Municipality of Barrington provide a grant in the amount of \$1,000.00 from the Tourism Initiative Fund to assist the Local Action Committee to develop eco tourism through bird conservation.

Moved by E. Nickerson and seconded by F. Bower that the above motion be amended to change the grant amount from \$1,000.00 to \$2,000.00.

Motion carried.

The amended motion as approved by Council is as follows:

"...that the Municipality of Barrington provide a grant in the amount of \$2,000.00 from the Tourism Initiative Fund to assist the Local Action Committee to develop eco

tourism through bird conservation."

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

It was the consensus of members that the grant provided would assist with the preparation and installation of interpretive signs and that the Municipality of Barrington would be recognized for their contribution. Mr. Milroy requested a letter indicating Council's support outlining both the financial and "in kind" contribution.

SECOND READING - LAND USE BY-LAW AND MUNICIPAL PLANNING STRATEGY AMENDMENTS

The Clerk informed members that it is now time to consider proposed amendments to the Municipal Planning Strategy and Land Use By-law in second reading.

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The proposed amendments will change the definition of "salvage yards" 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".

The 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 Public Hearing was held on December 13, 2000.

Moved by E. Nickerson and seconded by D. Hunt that the proposed amendments to the Land Use By-law and Municipal Planning Strategy dealing with salvage yards, miscellaneous uses on Municipal property, and sewers, be approved in second

reading.

Motion carried.

SALTING OF HIGHWAYS

Councillor Nickerson informed Council that he received ten (10) calls recently concerning the salting of highways on Cape Sable Island. Other councillors also expressed concern regarding the clearing of snow from highways.

Moved by D. Hunt and seconded by E. Nickerson that a letter be written to the Department of Transportation to determine salting and plowing policies for the Municipality of Barrington.

Motion carried.

ADJOURNMENT

Moved by F. Bower that the meeting adjourn.

The meeting was adjourned at 9:58 p.m.