

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, February 28, 2001.

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

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

Warden Sterling Belliveau was absent from the meeting. He was away on vacation.

APPROVAL OF MINUTES

Moved by D. Hunt and seconded by W. Smith that the minutes of the Council Meeting held February 14, 2001 be approved as circulated.

Motion carried.

Moved by A. Atkinson and seconded by L. Halliday that the minutes of the Special Meeting of Council held February 20, 2001 be approved as circulated

Motion carried.

ART GALLERY OF NOVA SCOTIA

Mr. Bernard Riordon of the Art Gallery of Nova Scotia was scheduled to appear before Council tonight. Due to another commitment Mr. Brian Matthews appeared in

his place.

Mr. Matthews advised that he was appearing before Council tonight on behalf of the Board of Governors of the Art Gallery of Nova Scotia in support of the Capital Campaign Committee for the Western Branch of the Art Gallery of Nova Scotia in Yarmouth.

The former bank building in Yarmouth became available in the fall of 1995 and since that time renovations and restoration has begun to convert the building into a professional art museum.

The fundraising goal for the project is \$2.6 Million Dollars. Currently an amount of \$1.3 Million has been raised for the project. Mr. Matthews advised that the Town of Yarmouth, the Municipality of Yarmouth, the Municipality of Argyle, the Municipality of Digby and the Municipality of Annapolis have generously provided or pledged financial support to the project.

Mr. Matthews is requesting that the Municipal Council consider donating \$10,000.00 towards this project.

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Moved by F. Bower and seconded by W. Smith that the request from the Art Gallery of Nova Scotia for \$10,000.00 to assist with the Western Branch in Yarmouth be referred to the budget process.

Motion carried.

R.C.M.P. ANNUAL REPORT

Sergeant Mike Leighton of the Barrington R.C.M.P. Detachment appeared before Council to give his Annual Report.

In advance to the meeting each member of Council was provided with a written report.

Sergeant Leighton advised that the Barrington Detachment continues to be one of the busiest detachments in the Province of Nova Scotia based on criminal code ratio per member. The caseload for 1999 was 123 which was the highest in the province for

rural detachments and second highest in Nova Scotia. The file load for the year 2000 was 2091, down only 30 files from 1999.

Sergeant Leighton made reference to some of the other activities R.C.M.P. members are involved with; which include, Big Brothers/Big Sisters, Family Violence Program, Crime Stoppers Program, etc.

Upon the conclusion of Sergeant Leighton's Annual Report a question/answer period was held. During this time Sergeant Leighton was made aware of a concern expressed by Mrs. Gertrude Nickerson of Wood's Harbour. She has expressed concern to Council regarding activities which take place on Halloween Night. She has requested Council to consider putting into effect a curfew for Halloween Night.

It was agreed that the Clerk discuss this matter with Sergeant Leighton in more detail in an attempt to come up with a solution to the problem. The outcome of this discussion will be reported back to Council.

It was agreed that Mrs. Nickerson be notified of what is taking place regarding her request.

Sergeant Leighton advised that in advance to the meeting each member of Council, Clerk and Deputy Clerk were provided with a bag advertising the Family Violence Program. Sergeant Leighton advised that special funding was received from the Federal Government to carry out the project. He advised that he will continue to pursue additional funding in the future.

The Deputy Warden then thanked Sergeant Leighton for appearing before Council and presenting his Annual Report.

SECOND READING OF BY-LAW NO. 25

The Clerk reported that this is the second reading of By-law No. 25. It is proposed that Schedule "A" of By-law No. 25 be amended as follows:

- Deletion of Balmoral Rebekah Lodge property located in Wood's Harbour. This property is now assessed to the Samuel Wood Historical Society and tax exemption is covered under another by-law.

- Some names have been changed to show the name in which the property is assessed, i.e. Centreville and North East Point Community Hall has been changed to Trustees of Centreville and North East Point Community Hall.

- Old payer numbers have been deleted and new customer codes have been added.

Moved by F. Bower and seconded by A. Atkinson that the proposed amendments to Schedule "A" of By-law No. 25 "By-law Respecting Partial Tax Exemption" be approved in second and final reading.

Motion carried.

ROSEWAY HOSPITAL CHARITABLE FOUNDATION

Mr. Raymond Harris, Vice President, Roseway Hospital Charitable Foundation, appeared before the meeting.

Mr. Harris advised that his appearance tonight was initiated by the Clerk as a result of a discussion with Pat Nickerson, Warden for the Municipality of Shelburne and member of the Roseway Hospital Charitable Foundation.

Mr. Harris advised that the Foundation was formed in 1994 and since then has been accepting donations and carrying out fundraising events to raise funds to assist with hospital and community projects. A number of projects have been funded in the past including the Breast Screening Van, Helicopter Pad, Chapel at Roseway Hospital, stress testing machine, etc. Assistance has also been provided by the Foundation to recruit doctors to the area and the Foundation was active in bringing Dr. Chaloner to the area.

Mr. Harris advised that the Foundation is made up of a ten member board. The Board is prepared to accept a recommendation from the Municipal Council to have a representative on the Board. This representative can be a member of Council or a member of the community.

Mr. Harris advised that their constitution currently allows for ten (10) members and at present all ten (10) positions are filled. The Foundation is willing to make changes to the constitution to allow for one (1) member from the Municipality of Barrington, increasing the membership to eleven (11).

Mr. Harris advised that the Foundation is prepared to provide up to \$35,000.00 to assist the Municipality in recruiting another doctor to the area. This funding will be provided subject to:

1. no funding is to be applied towards the purchase of a building or rental of office space;
2. funding will only be provided to doctors willing to associate with the Roseway Hospital and other doctors in the area;
3. a contract will be necessary requiring the doctor to stay in the area for a specified period of time.

Mr. Harris advised that if the Municipality of Barrington is interested in this proposal, that they should get in touch with the Roseway Hospital Charitable Foundation and the Recruitment Committee.

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It was agreed by members that the appointment of a representative to serve on the Roseway Hospital Foundation be referred to the Finance Committee for further discussion.

Mr. Harris was then thanked for appearing before Council and making his presentation.

EMERGENCY ITEM

The Clerk reported that it is necessary to add Item 11A to the agenda: "Matrons for Lock-up".

The addition to the agenda was agreed to by members.

MATTERS ARISING FROM THE MINUTES

Bay Vista Apartments

The Clerk reported that a letter has been received from the Tri-County Housing

Authority in response to our letter asking for the current classification of Bay Vista Apartments. The letter advised that the complex is a senior citizens building; senior citizens being anyone 58 years or older. However, the Board of Directors does have the ability, based on need, to house people under the age of 58 years.

Moved by F. Bower and seconded by A. Atkinson that the Tri-County Housing Authority be requested to provide a breakdown of the age of residents currently residing in the Bay Vista Apartments.

Motion carried.

B.M.H.S. Crosswalk

The Clerk reported that a copy of a letter has been received from the Minister of Transportation and Public Works which was addressed to MLA Cecil O'Donnell.

The letter advised that a meeting had been arranged for February 9, 2001 between the Parent Support Group of the Barrington Municipal High School and the District Traffic Supervisor for the Department to discuss the options and possibilities of installing a crosswalk at this location.

Moved by D. Hunt and seconded by L. Halliday that the Clerk contact the Department of Transportation to determine the outcome of the meeting held on February 9, 2001.

Motion carried.

Hiring Committee Policy

The Clerk reported that at the December 13, 2000 Council Meeting the following motion was made:

"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".

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The Clerk reported that there was a further motion made at that meeting, that the above motion be postponed to the first Council Meeting after the next Hiring

Committee Meeting.

It was reported that a Hiring Committee Meeting was held on February 21, 2001 to deal with the position of C & D Landfill Attendant and this was the reason for the above motion being brought forward at this time.

Moved by W. Smith and seconded by F. Bower that the above motion be deferred until another meeting of the Hiring Committee has been held.

Motion carried.

CORRESPONDENCE

Education Contribution

The Clerk reported that a fax has been received from Anna Allen, President of the Union of Nova Scotia Municipalities regarding Municipal Mandatory Contributions to education. The fax advised that she had met with the Minister of Education and has strongly urged the Minister to freeze the total Municipal Mandatory Contributions to education at \$131,000,000.00.

The Minister was unable to commit to no increase in the total amount of Municipal contributions to public education. Mrs. Allen is therefore suggesting to municipalities that they immediately write and/or call the Minister of Education and voice our opposition to any increase from the \$131,000,000.00.

Moved by W. Smith and seconded by D. Hunt that a letter be written to the Honourable Jane Purvis, Minister of Education, protesting any increase in the Municipal Mandatory Contribution to education of \$131,000,000.00.

Motion carried.

Shelburne County Arena Association

It was reported that a letter has been received from the Shelburne County Arena Association. The Association is requesting the Municipality to nominate one (1) director from the Municipality of Barrington and one alternate to serve on the Association.

Moved by D. Hunt and seconded by W. Smith that the request for a member to be

placed on the Shelburne County Arena Association be referred to the Recreation Committee.

Motion carried.

Kids Fair Play FUNd

It was reported that a letter has been received from the Kids Fair Play FUNd requesting financial assistance in the amount of \$200.00.

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Moved by D. Hunt and seconded by A. Atkinson that this request be referred to the budget process.

Motion carried.

Clyde River Sawmill Committee

It was reported that a letter has been received from the Clyde River Sawmill Committee requesting Council to appoint a representative to serve on this Committee.

Moved by W. Smith and seconded by D. Hunt that Councillor Fred Bower be appointed to serve on the Clyde River Sawmill Committee.

Motion carried.

Good Neighbor Energy Fund

It was reported that information has been received from Nova Scotia Power advising that once again this year families facing an emergency crisis can apply for assistance with their home heating bills through the Good Neighbor Energy Fund.

Moved by F. Bower and seconded by L. Halliday that information on the Good Neighbor Energy Fund be sent to the various businesses in the area for posting to increase public awareness.

Motion carried.

R.C.M.P. Services from the Provincial Policing Agreement

It was reported that the Director of Support Services and Policing Contracts has advised that he has been able to obtain a preliminary budget estimate from the R.C.M.P. regarding costs for the 2001/02 fiscal year. They have estimated a 2.5% increase over the 2000/2001 per capita cost of \$81,933.00.

The Clerk reported that the Municipality of Barrington has 6.6 R.C.M.P. officers which costs \$540,757.00 per year. With the preliminary estimate of a 2.5% increase this will result in an extra cost to the Municipality of \$13,519.00.

COMMITTEE AND BOARD REPORTS

In the absence of the Warden, Councillor Halliday provided a brief report on the Warden's activities since the last Council Meeting.

South West Shore Development Authority

It was reported that on February 21, 2001 the Warden attended a South West Shore Development Authority Meeting. At that meeting the representatives of each Council agreed to request their unit to write letters to the Nova Scotia Department of Economic Development and the Atlantic Canada Opportunities Agency expressing Council's support for a resolution to the long term funding issue.

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Moved by L. Halliday and seconded by W. Smith that a letter be sent to the Nova Scotia Department of Economic Development and the Atlantic Canada Opportunities Agency with copies of these letters being forwarded to the Nova Scotia Association of RDA's expressing Council's support for a resolution to the long term funding issue.

Moved by F. Bower and seconded by W. Smith that the above motion be deferred until the matter can be further discussed by the Public Works Committee.

Motion carried.

Councillor Halliday further reported that the South West Shore Development Authority has agreed to find funding in the amount of \$10,000.00 to be applied towards the Family Violence Program.

The Marine Resource Centre Study has been approved with funding coming from the

Department of Fisheries and Oceans and FRAM. A funding application put forth to the H.R.D.A. has been denied but it is felt that alternate funding can be located.

Waterfront Development

Councillor Halliday informed members of Council that she would be resigning from the Waterfront Development Committee due to her workload and other commitments. She further advised that her resignation is partly due to the fact that she has felt for some time that the Committee is too large. She is, therefore, requesting Council not to fill her seat on the Committee.

Moved by A. Atkinson and seconded by W. Smith that Councillor Halliday's resignation from the Waterfront Development Committee be accepted with regret.

Motion carried.

Hiring Committee

C & D Landfill Attendant

Councillor Atkinson advised that a meeting of the Hiring Committee was held on February 21, 2001 to deal with the C & D Landfill Site Attendant position.

Moved by A. Atkinson and seconded by F. Bower that Rob Williams be hired as a full-time employee for the position of Landfill Attendant.

Motion carried.

Finance and Administration

Discover Shelburne County

Moved by D. Hunt and seconded by A. Atkinson that the Municipality provide a grant of \$300.00 to Discover Shelburne County Association providing that the Visitor Information Centre Manager is willing and able to attend the Sports and RV Show at Exhibition Park.

Motion carried.

Partial Tax Exemption Policy

It was reported by Councillor Hunt that it is the recommendation of the Finance Committee that the Partial Tax Exemption Policy be amended to provide full tax exemption to those who qualified regardless of the number of assessed owners recorded on the property.

The reason for bringing this forward tonight was to give Council the required notice. The actual amendment to the policy will take place at the next meeting of Council.

Canadian Food Inspection Agency Offices

Moved by D. Hunt and seconded by L. Halliday that a letter be sent to the Minister responsible for the Canadian Food Inspection Agency, to our local member of Parliament and to our local member of the Nova Scotia Legislature, objecting to the moving of the CFIA office out of the Municipality of Barrington and the resulting loss of jobs to our area which is totally unnecessary.

Motion carried.

Employee Increments

Moved by D. Hunt and seconded by F. Bower that Sharon Brannen upon completing a year's service as Secretary in the Municipal Office on March 6, 2001 and having received a satisfactory performance evaluation be approved to receive her annual increment.

Motion carried.

Moved by D. Hunt and seconded by W. Smith that Michelle DeSantis, Tax Clerk in the Municipal Office, having completed a year's service in that position on March 6, 2001 and having received a satisfactory performance evaluation receive her annual increment.

Motion carried.

Moved by D. Hunt and seconded by L. Halliday that Luella Belliveau, Accountant in the Municipal Office, having completed a year's service on March 6, 2001 and having received a satisfactory performance evaluation be approved to receive her annual increment.

Motion carried.

Moved by D. Hunt and seconded by F. Bower that Andrew Goreham, Assistant Building Inspector, Development Officer, By-law Enforcement Officer and Fire Inspector, upon completing a year's service in this position on March 13, 2001 and having received a satisfactory performance evaluation be approved to receive his annual increment.

Motion carried.

Moved by D. Hunt and seconded by A. Atkinson that Debra Atwood, Janitor, having completed another year of satisfactory employment on March 28, 2001 be approved to receive her annual increment.

Motion carried.

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Gravel Pit Leases

Conflict of Interest

Deputy Warden Eddie Nickerson declared Conflict of Interest, turned the Chair over to Councillor Atkinson and proceeded to the spectator area.

Bud Nickerson is Deputy Warden Nickerson's stepfather.

Moved by D. Hunt and seconded by L. Halliday that the five local contractors including Bud Nickerson, Robbie Newell, Harold Newell, Gardiner Allen and Michael Snow be permitted to dig test pits on Municipal property in the Goose Lake area in order to determine the amount of fill available on the proposed site in question; that no fill be removed from that site and that the test pit holes be filled back in after tests being completed and that these test holes be dug prior to the next Public Works Committee Meeting to be held on March 19, 2001.

Motion carried.

The Clerk reported that there is currently a motion on the books which reads as

follows:

"Moved by T. Wickens and seconded by C. O'Donnell that since we have already entered into a lease agreement with D.M. Snow Contracting Ltd., that that lease agreement be allowed to continue to its expiry date but that no new leases be entered into with contractors for land along the Goose Lake Road leading to cottages.

Motion carried."

Moved by W. Smith and seconded by L. Halliday that notice be given that the above motion will be reconsidered by Council at the March 28, 2001 Council Meeting.

Motion carried.

Deputy Warden Nickerson then returned to the Chair.

Business Occupancy Tax

Moved by D. Hunt and seconded by A. Atkinson and carried:

THAT the Municipality respond to the Discussion Paper circulated by Service Nova Scotia and Municipal Relations indicating that its response to the Discussion Questions are:

1. The Business Occupancy Assessment and Taxation should be eliminated providing that:

(a) the elimination of this Assessment does not need to be phased in as long as legislation is put in place that would maintain a relationship between tenants and landlords that is consistent with the relationship that now exists.

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2. If Business Occupancy Assessment is eliminated:

(a) there should be some restrictions placed on the manner in which municipalities recover the revenues lost from Business Occupancy Taxation to ensure that this recovery is done in an equitable method that is applied uniformly across the province; and

(b) landlords should be allowed to increase rents to cover any increases in Real Property Taxes associated with the elimination of Business Occupancy Taxation; and

(c) tax on properties currently located in non-taxable premises where Business Occupancy Tax is currently paid should have the tax collected by assessing the property owner Commercial Property Taxes for that portion of the property in question.

Nova Fresh Seafoods Limited

Moved by D. Hunt and seconded by W. Smith that the balance of the Business Occupancy Taxes, plus interest, in the amount of approximately \$2,600.00 be written off the account of Nova Fresh Seafoods Limited due to its uncollectability.

Motion carried.

Family Violence Program

WHEREAS the Family Violence Early Intervention Project was one of eight Victims Support Projects of the Framework for Action Against Family Violence which were funded by the Province of Nova Scotia;

AND WHEREAS the establishment of an ongoing Program for the Provision of Enhanced Victims Support through the Framework for Action Against Family Violence was not included in the Provincial Budget;

AND WHEREAS Family Violence is a continuous, social crime that negatively affects the lives of numerous Nova Scotians;

THEREFORE it is moved by D. Hunt and seconded by W. Smith that the following resolution be submitted to the Union of Nova Scotia Municipalities Regional Meeting for consideration at its Annual Conference.

BE IT RESOLVED that the Union of Nova Scotia Municipalities request the Minister of Justice and the Minister of Finance to establish the Department's commitment for Action Against Family Violence by including in the Provincial Budget funding for the Early Intervention Project for Action Against Family Violence on an ongoing basis.

Motion carried.

The Clerk reported that Warden Nickerson from the Municipality of Shelburne has

advised that a meeting will be held on March 6, 2001 with the Minister of Justice to discuss the Family Violence Program.

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Barrington District 7E Volunteer Fire Department Financial Statement

Moved by D. Hunt and seconded by A. Atkinson that the Municipality request the current financial statements from the Barrington District 7E Volunteer Fire Department which would include statements of all investments, fundraising efforts, operating funds and any other monies held by the Fire Department prior to considering the implementation of an area rate by the Fire Department.

Motion carried.

Suzanne Belliveau Request

Moved by D. Hunt and seconded by A. Atkinson that the Municipality agree to settle their dispute with Suzanne Belliveau, without prejudice, in the amount of \$800.00, in full and complete settlement for her claim against the Municipality.

Motion carried.

Waterfront Development Committee

Councillor Hunt advised that he would like to resign from the Waterfront Development Committee and requested Council not to fill his vacancy. He stated that he feels that the Committee is too large at the present time.

Moved by F. Bower and seconded by L. Halliday that the Municipal Council accept the resignation tendered by Councillor Hunt resigning from his position on the Waterfront Development Committee.

Motion carried.

With the resignation of Councillor Halliday and Councillor Hunt from the Waterfront Development Committee this leaves only one Council representative on the Committee, Councillor Smith.

Moved by F. Bower and seconded by W. Smith that Councillor Louise Halliday be

appointed an alternate to serve on the Waterfront Development Committee in the absence of Councillor Smith.

Motion carried.

Library

Councillor F. Bower advised that he recently attended a Library meeting. Minutes of the meeting will follow. Councillor Bower also made reference to the Library News which profiled him.

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Planning Advisory Committee

Amendment to the MPS & Subdivision By-law

It is the recommendation of the Planning Advisory Committee that amendments be made to the Subdivision By-law to make the definition for sewer consistent with the Municipal Government Act and to amend wording for sanitary sewer requirements. It is also the recommendation of the Planning Advisory Committee that amendments be made to the Subdivision By-law and the Municipal Planning Strategy to provide for Instruments of Subdivision and amendments to the procedures and requirements for final plans of subdivision.

Moved by F. Bower and seconded by L. Halliday that proposed amendments to the Municipal Planning Strategy and Subdivision By-law dealing with sewer requirements, Instruments of Subdivision and final plans of subdivision be approved in first reading and that we proceed to the required public hearing.

Motion carried.

Public Works

1999 UNSM Resolution

At the Public Works Committee Meeting held February 19, 2001 a member indicated that no response has been received from the UNSM to Resolution 40A. This resolution dealt with the portfolio for the Minister responsible for the Department of Fisheries and Aquaculture. Resolution 40A was proposed at the UNSM Conference 1999. The resolution recommended that the UNSM contact the provincial department

of Fisheries and Aquaculture indicating to them that the Minister responsible for this department should be responsible for only this department as it requires considerable effort and time.

Moved by W. Smith and seconded by F. Bower that the Municipality contact the UNSM for a response to Resolution 40A from the 1999 UNSM Conference.

Motion carried.

Municipal Flag

Moved by W. Smith and seconded by D. Hunt that two (2) flags be purchased from Passage Print & Litho in mirror image, for the municipality.

Motion carried.

Sherose Island Boat Launch

Moved by W. Smith and seconded by D. Hunt that the Fish and Game Association be allowed to construct a boat launch at the end of the dirt road on municipal property on Sherose Island, providing they obtain all approvals required by Federal, Provincial and Municipal Regulations, and that this construction be done under the supervision of the Municipal Clerk.

Motion carried.

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Cutting of Windfalls at Sherose Island

Moved by W. Smith and seconded by L. Halliday that permission be given to Emerson Smith of North East Point to cut windfalls at Sherose Island, provided that he clean up any brush resulting from the cutting of these windfalls and that Mr. Smith do this cutting "at his own risk".

Motion carried.

Fort St. Louis

Moved by W. Smith and seconded by F. Bower that a letter be sent to Fort St. Anne requesting the installation of a tourist directional sign along the #3 Highway and

interpretive signing on the site itself for Fort St. Louis, National Historic Site.

Motion carried.

Cat Rock Drive Drainage

Moved by W. Smith and seconded by D. Hunt that the request of Rueben Ross that the municipality provide a drainage culvert at the end of Cat Rock Drive be denied.

Moved by W. Smith and seconded by F. Bower that the above motion be deferred to the March 28, 2001 Council Meeting.

Motion carried.

It was noted that Mr. Ross wished to be present at the Public Works Committee Meeting when this matter was discussed, therefore it was agreed that Mr. Ross be invited to attend the next meeting of the Public Works Committee.

PROCEDURE OF STANDING TO SPEAK

It was previously the decision of Council that the procedure of standing to speak be further considered at tonight's meeting.

Moved by F. Bower and seconded by D. Hunt that the Municipal Council continue with the procedure of standing to speak for a one (1) year period and that this procedure be reviewed at the end of that period.

Motion carried.

MATRONS FOR LOCK-UP

The Clerk reported that problems have been encountered in having available Matrons for Lock-up. As a result of these problems, an advertisement was placed in the Coast Guard Newspaper inviting applications for Matron.

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Applications were received from the following:

Pamela Kenney
Debra Scott
Diane O'Connell

Conflict of Interest

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

Debra Scott is Councillor Hunt's sister-in-law.

Moved by F. Bower and seconded by L. Halliday that Pamela Kenney, Debra Scott and Diane O'Connell be appointed Matrons for the Barrington Municipal Lock-up, subject to the approval of the R.C.M.P.

Motion carried.

ADJOURNMENT

Moved by F. Bower and seconded by L. Halliday that the meeting adjourn at 10:03 p.m.

Motion carried.