

Minutes of the 125th Annual Meeting of the Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Tuesday, June 29, 2004.

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

ROLL CALL

The Clerk reported that all councillors from all districts were present with the exception of Deputy Warden Nickerson who called earlier and indicated that he would be approximately ten (10) minutes late.

- Warden Sterling Belliveau
- Deputy Warden Eddie Nickerson (7:05 p.m.)
- Councillor Angus Atkinson
- Councillor Fred Bower
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith

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

APPROVAL OF MINUTES

Moved by D. Hunt and seconded by W. Smith that the minutes of the last meeting of Council held June 9, 2004 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Dangerous and Unsightly Premises

Lesla Perry Property - Lower Clark's Harbour

The Clerk informed members that Lesla Perry's property located at Lower Clark's Harbour has not yet been cleaned up. An Order has been prepared by the Clerk. The Order instructs the owner to remedy the condition of the property by addressing areas of concern, including but not limited to the following:

- back door and some windows are open,
- well on site is in need of new cover.
- large sections of trim have fallen off the outside of the house,
- an accumulation of flammable grass and weeds around the property; and
- house has a noticeable lean towards the rear.

FRL Holdings Limited

The Clerk informed members that the Municipal Solicitor has drafted the Order requiring FRL Holdings Limited to clean up their property located in the Clement's Pond area.

Resolution C040616

Moved by D. Hunt and seconded by L. Halliday that an Order be issued to FRL Holdings Limited and that an Order be issued to Lesa Perry to remedy the condition of their properties by addressing the concerns included in the Orders.

Motion carried unanimously.

Greenwood's Boat Shop

The Clerk informed members that the By-Law Enforcement Officer, Roger Burrill, has been periodically inspecting Stanley Greenwood's Boat Shop property. The dangerous and unsightly condition of his property has been addressed and the file will be closed.

NEW BUSINESS

Team Shelburne

Mr. Frank Anderson of the South West Shore Development Authority appeared before the meeting. Mr. Anderson requested Council to reconsider their decision not to participate in Team Shelburne. Mr. Anderson also indicated that the Town of Clark's Harbour will also be requested to participate on the Team. The Team will be dealing with the Youth Centre closure as well as other issues common to all municipal units in Shelburne County. One issue of major concern is the salt fish packing plants.

Resolution C040617

Moved by L. Halliday and seconded by W. Smith that the request for the Municipality of Barrington to participate in Team Shelburne be approved and that the Warden and Clerk be appointed to serve on Team Shelburne.

Motion carried unanimously.

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

Auditor's Year-End Report

Mr. Doug Drane, of Redding & Drane, appeared before the meeting and presented Audited Financial Statements for the Municipality of Barrington for the year ending March 31, 2004. Each member was also provided with a copy of a Statement of Operations showing comparative figures for the last five (5) years.

Mr. Drane indicated that there have been some changes in accounting policies for the 2004 fiscal year. The Canadian Institute of Chartered Accountants made revisions to the standards which auditors and reporting entities must follow. In the past auditors have presented financial statements under guidelines set out in the Municipal Accounting and Reporting Manual. It is now necessary for auditors to report the financial statements using Generally Accepted Accounting Principles. Using the Municipal Accounting and Reporting Manual Procedures, the Municipality's year-end surplus is \$2,598.00. Using GAAP reporting policies, the Municipality's year-end results are an excess of expenditures over revenues of \$72,681.00.

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

Estimate of Revenues and Expenditures for 2004/2005

In advance to the meeting each member of Council was provided with a complete copy of the proposed budget as well as a brief summary of the 2004/2005 Operating Budget for the Municipality of Barrington.

A slide presentation was then made by the Municipal Clerk providing an overview of the budget.

Tax Rates, Due Dates, etc.

Resolution C040618

Moved by W. Smith and seconded by L. Halliday:

BE IT RESOLVED that the Council of the Municipality of the District of Barrington estimates that the sum required for lawful purposes of the Municipality of the District of Barrington for the year 2004/2005 after crediting the probable revenue from all sources other than the rates for the year, including properties whose tax or grant varies with the tax rate, making due allowance for the current year which may not be collected or collectible, as the sum of Three Million, Nine Hundred Twenty-five Thousand, Five Hundred Forty-eight Dollars (\$3,925,548);

FURTHER BE IT RESOLVED that the Municipal Council hereby authorizes the levying and collecting of a rate for the current year of Two Dollars and Four Cents (\$2.04) per One Hundred Dollars (\$100.00) on the assessed value of the commercial property including business occupancy, and One Dollar and Eight Cents (\$1.08) per One Hundred Dollars (\$100.00) on the assessed value of the residential and resource property in the assessment rolls for the current year, and being the rate the Council deems sufficient to raise the sum required to defray current expenditures of the Municipality for the current year, and deficit from preceding years, but not including area rates, service charges or special assessments.

Motion carried unanimously.

Resolution C040619

Moved by D. Hunt and seconded by L. Halliday:

FURTHER BE IT RESOLVED that the rates and taxes for the year 2004/2005 shall become due and payable on July 2, 2004, and after that date rates and taxes may be collected by warrant and;

FURTHER BE IT RESOLVED that an additional charge of interest at the rate of Eighteen Percent (18%) per annum be charged on all current rates, area rates and special assessments not paid before September 3, 2004.

Motion carried unanimously.

Area Rates

Resolution C040620

Moved by D. Hunt and seconded by E. Nickerson that the following area rates be set for the 2004/2005 fiscal year:

<u>FIRE DEPARTMENT</u>	<u>RATE</u>
Wood's Harbour Volunteer Fire Department	\$0.12/\$100.00 of assessment
Shag Harbour/Bear Point Volunteer Fire Department	\$0.084/\$100.00 of assessment
Barrington Volunteer Fire Department	\$0.061/\$100.00 of assessment
Port LaTour Volunteer Fire Department	\$0.10/\$100.00 of assessment
Island & Barrington Passage Volunteer Fire Department	\$0.05/\$100.00 of assessment

Motion carried unanimously.

Sewer Service Charges

Resolution C040521

Moved by D. Hunt and seconded by L. Halliday that the sewer service charges be set at the rate of \$200.00 per unit for Barrington/Barrington Passage, and \$275.00 per unit for Wood's Harbour for the Fiscal Year 2004/2005.

Motion carried unanimously.

Temporary Borrowing Resolution

It was reported that it is necessary to provide for a temporary loan for the purpose of defraying the annual current expenditures of the Municipality.

Resolution C040622

Moved by L. Halliday and seconded by F. Bower and carried:

WHEREAS the combined total of taxes levied by the Municipality and the amounts received or to be received by the Municipality from Her Majesty the Queen in Right of Canada or in right of the Province of Nova Scotia or from an agency, is estimated to be \$4,367,913.00.

AND the aggregate amount of the taxes estimated to be levied for the current year will exceed \$4,231,234.00.

AND it is necessary to borrow the sum of \$400,000.00 from the Royal Bank of Canada to defray the current expenditure of the Municipality which was authorized by the Council on the 29th day of June 2004, until such time as the taxes levied can be collected.

BE IT THEREFORE RESOLVED by the Municipal Council of the Municipality of the District of Barrington (hereinafter called the "Corporation").

1st THAT the Warden, with the Treasurer of the said Corporation, be and they are hereby authorized under the seal of the Corporation, to borrow from the Royal Bank of Canada the sum of \$400,000.00 Dollars as the same may be required from time to time for the purpose of defraying the annual current expenditure of the Corporation.

2nd THAT the said Warden, with the Treasurer aforesaid be, and they are hereby authorized to pay or allow to the said Bank, interest on the said sum of \$400,000.00 Dollars at the Bank interest rate prevailing by way of discount or otherwise howsoever as they may deem best.

3rd THAT the promissory note or notes of the said Corporation, sealed with the Corporate Seal and signed by the Warden and Treasurer of the said Corporation, be given from time to time as

required in security for the amounts borrowed from time to time under the provision of the Resolution.

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4th THAT the said sum of \$400,000.00 Dollars so to be borrowed shall be payable on or before the 30th day of September A.D., 2004, and the promissory note or notes of the said Corporation given therefore, which shall be under the seal of the Corporation, and if made payable before the said 30th day of September A.D. 2004, may be renewed by the said Warden and Treasurer from time to time, but no renewal shall fall due later than the 30th day of September next.

5th THAT the giving of such notes or renewal notes, as aforesaid, shall not be deemed satisfaction to the said Bank of the said advance or interest, but as evidence only of indebtedness.

Farm Acreage Tax

Resolution C040623

Moved by D. Hunt and seconded by L. Halliday that the Farm Acreage Tax for the year 2004/2005 fiscal year be \$2.42 per acre for all land that is assessed as exempt farm land.

Motion carried unanimously.

Capital Budget 2004/2005

Resolution C040624

Moved by D. Hunt and seconded by L. Halliday that consideration of the Capital Budget be deferred to the last Council meeting in July.

Motion carried unanimously.

Community Litter Clean-up Program

The Clerk provided a brief report on the Community Litter Clean-up Program. The program has been completed for this year and 133.45 kms. have been cleaned. This resulted in 34,960 kgs. of waste being collected. The cost of carrying out this program was \$26,690.00.

The Clerk informed members that it has been suggested by one group that signs be installed within the Municipality requesting residents and tourists to do their part in keeping our communities clean.

The Clerk informed members that program assistance was provided by Eugene Newell Construction Ltd. by providing signs, and Benny Acker of the Department of Transportation for providing garbage bags, signs and issuing permits in a timely manner. Their cooperation and assistance was greatly appreciated.

Tenders - Truck, V-plow, Salt/Sand Spreader

Conflict of Interest

Councillor Dwayne Hunt declared conflict of interest, vacated his seat and proceeded to the spectator area. Councillor Hunt is employed by one of the companies who submitted a tender.

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting tenders for the following:

- regular cab, 3/4 ton, 4X4 pick-up, 2004 or newer

- snowplow - V-blade
- salt spreader

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The deadline for tenders was 7:00 this evening.

The tenders were opened by the Warden and were as follows:

- Ocean Truck Equipment Limited
- Carroll Tri-County GM
- Tusk Sales & Service Limited
- Motor Mart
- Smith & Watt Limited
- Huskison Chrysler

Resolution C040625

Moved by E. Nickerson and seconded by L. Halliday that the Municipal Clerk obtain clarification on some of the tender information and provide a summary of tenders at a future Finance or Public Works Committee meeting.

Motion carried unanimously.

Councillor Hunt returned to the meeting.

CORRESPONDENCE

Caucus Meeting

In advance to the meeting each members was provided with a copy of a letter received from the Chair of the PC Caucus. The letter acknowledged our invitation for the Caucus to hold a meeting in Barrington. The letter thanked Council for their invitation and advised that they have a limited number of these opportunities and must reach as many areas of the province as they can. They are currently working on a fall meeting which will take place in Antigonish and for the past four (4) years have been working their way through the province. The letter further advised that Council's request will be brought to the attention of the individual Caucus members and the Executive Council for their consideration as they plan their schedules.

Unexpended Special Assessments

The Clerk informed members that a letter of thanks has been received from the Island and Barrington Passage Volunteer Fire Department for permitting them to use the unexpended special assessment to improve their parking lot.

Library Funding

The Clerk informed members that a letter has been received from the Department of Education advising that the formula for distributing funding for Regional Library Boards will result in combined funding allocation for the Western Counties Regional Library Board of \$1,300,400.00 for the 2004/2005 fiscal year. This amount is comprised of \$948,300.00 from the province, \$315,700.00 from the municipalities and \$36,400.00 from Board fundraising.

REPORT OF WARDEN

The Warden informed members that he attended the Annual General Meeting of the Roseway Hospital Charitable Foundation on June 16, 2004.

He also attended a 60th Wedding Anniversary for Edison and Virginia Hopkins on June 28, 2004. This anniversary celebration was held at Veteran's Place in Yarmouth.

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COMMITTEE REPORTS

Finance & Administration Committee

Barrington Bay Trail

Resolution C040626

Moved by F. Bower and seconded by L. Halliday that the Municipal Clerk determine the cost of putting two (2) video monitoring cameras on the Barrington Bay Trail and posting signs indicating that the Trail is under video surveillance.

Motion carried unanimously.

Resolution C040627

Moved by F. Bower and seconded by D. Hunt that the Municipality erect barriers at various entrances to the Barrington Bay Trail, as required, in order to deter and limit use of the Trail by all-terrain vehicles.

Motion carried unanimously.

Proposed Amendment to By-Law No. 11 "Animals"

It is proposed that By-Law No. 11, "Animals" be amended as follows:

Existing Wording:

_____2(1) No person shall cause pain to any wild or domestic bird or animal including any dog unless the infliction of pain is necessary for its care, cure or training.

7(3) A Pound Keeper shall be entitled to the following fees:

For impounding any animal	\$3.00
For impounding any fowl	.75
For each advertisement	.50
For every notice given	.50
For necessary travel, per mile each way	.17

For the maintenance of the following animals:

For every horse, ass, or mule or head of cattle	2.00 a day
For every goat, sheep, or swine	1.50 a day
For every domestic fowl	.50 a day
For every other animal excluding dogs	.50 a day

Proposed Wording:

_____2(1) No person shall cause pain to any domestic bird or animal including any domestic dog.

7(3) A Pound Keeper shall be entitled to \$5.00 per day for impounding any animal.

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Resolution C040628

Moved by F. Bower and seconded by D. Hunt that proposed amendments to By-Law No. 11 “Animals” receive approval in first reading.

Motion carried unanimously.

Municipal Property

Resolution C040629

Moved by F. Bower and seconded by D. Hunt that the Municipality continue to list the property for sale in Upper Port LaTour.

Motion carried unanimously.

Correspondence from Dr. Yee

A letter has been received from Dr. Kenny Yee informing Council that he anticipates accommodating two medical students per year during their third or fourth year placement in Barrington Passage. Each medical student will stay for a four (4) week period and Dr. Yee is requesting the Municipality to finance the accommodations of these students during their placement here.

Resolution C040630

Moved by F. Bower and seconded by D. Hunt that Dr. Yee be informed that the Municipality will accommodate medical students for this year and the Municipality will find a place for the students to live during their term at Dr. Yee’s office, and that the funds for payment of the lodging of the medical students will be drawn from the reserve set aside for recruitment of professionals to the area.

Motion carried unanimously.

Service Nova Scotia Agreement

Resolution C040631

Moved by F. Bower and seconded by D. Hunt that the Municipality enter into a Memorandum of Understanding for cooperation in the development, sharing and distribution of geographic information with the province.

Motion carried unanimously.

Cox/Penney Road Project

Resolution C040632

Moved by F. Bower and seconded by E. Nickerson that Municipal Staff meet with the residents

of Cox/Penney Road to present them with a financing proposal for the paving of the remainder of Cox/Penney Road. The financing proposal is as follows:

Total Estimated Cost of Project	\$46,000
Proposed Financing Department of Transportation	50%
Municipality of Barrington	25%
Residents of Cox/Penney Road	25%

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Interest will be charged on the funds to the residents of Cox/Penney. The funds for the initial payment will be taken from Special Reserve Fund Capital and the portion payable by the residents will be due and payable over a period of four (4) years.

Motion carried unanimously.

The Clerk informed members that the Department of Transportation has set a deadline of July 5, 2004 for signed agreements to be returned. Due to the deadline, a meeting was held with residents of Cox/Penney Road on June 24, 2004. As a result of that meeting and personal contact, it was determined that eight (8) residents were in favour of the proposal, four (4) were opposed and one (1) was undecided.

Resolution C040633

Moved by E. Nickerson and seconded by L. Halliday that the Municipality tender the project as per D.O.T. specifications and that the Municipality enter into agreement with the Department of Transportation to have Cox/Penney Road paved, at an amount not to exceed \$46,000.00, and that residents of Cox/Penney Road be once again consulted once the tender price has been determined.

AFFIRMATIVE

Angus Atkinson
Fred Bower
Louise Halliday
Eddie Nickerson
Wayne Smith

NEGATIVE

Sterling Belliveau
Dwayne Hunt

Motion carried.

Visitor Information Centre Manager's Salary

Resolution C040634

Moved by F. Bower and seconded by D. Hunt that the Visitor Information Centre Manager's salary be increased to \$10.00 per hour.

Motion carried unanimously.

Tax Write-Off

Resolution C040635

Moved by F. Bower and seconded by L. Halliday that the balance of the Business Occupancy Taxes of Jayne Amos, in the amount of approximately \$43.89, be written off.

Motion carried unanimously.

Public Works and Property Committee

Barrington Ground Search & Rescue

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Resolution C040636

Moved by F. Bower and seconded by D. Hunt that the Municipality pay its share of the current year's operating costs of the Ground Search & Rescue organization as requested and that any further financial support be reviewed on an annual basis.

Motion carried unanimously.

Resolution C040637

Moved by D. Hunt and seconded by F. Bower that the Barrington Ground Search & Rescue Group be permitted to place a sign on the former Barrington Passage Fire Hall.

Motion carried unanimously.

Library Project

Resolution C040638

Moved by F. Bower and seconded by D. Hunt that the South West Shore Development Authority be requested to prepare a conceptual drawing for the CED project that is being proposed for the Municipality.

Motion carried unanimously.

Shelburne Sign

Moved by F. Bower and seconded by E. Nickerson that the Municipal Solicitor contact the owner of the "Lobster Capital of Canada" sign located near the Beaverdam exit on Highway 103 and advise the owner to remove the sign.

Moved by E. Nickerson and seconded by F. Bower that the above motion be amended to require the owner to remove "Lobster Capital of Canada" from the sign.

AFFIRMATIVE

Angus Atkinson
Sterling Belliveau
Fred Bower
Louise Halliday
Eddie Nickerson
Wayne Smith

NEGATIVE

Dwayne Hunt

Motion carried.

The Warden then turned his chair over to the Deputy Warden in order that he could speak on the

motion.

The Warden reminded members that “Lobster Capital of Canada” is a registered trademark of the Municipality of Barrington.

After speaking on this matter, the Warden returned to his chair.

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Resolution C040639

The division was then requested on the amended motion.

AFFIRMATIVE

Angus Atkinson
Sterling Belliveau
Fred Bower
Louise Halliday
Eddie Nickerson
Wayne Smith

NEGATIVE

Dwayne Hunt

Motion carried.

Litter

Resolution C040640

Moved by F. Bower and seconded by L. Halliday that a letter be written to the Minister of Natural Resources and to the TDL Group Ltd., and copied to the local Tim Horton’s Donut franchise owner, indicating to them the enormous litter problem that is produced by patrons of Tim Horton’s who discard their cups continually in the roadways. This letter will also explain that the Municipality has spent considerable funds through its Community Clean-up Program to clean up the Municipality and the cooperation of the Department of Natural Resources and of the TDL Group Ltd. will be necessary to keep our community clean as well as the entire province.

Motion carried unanimously.

Library Board

Councillor Bower informed members that he attended a Library Board meeting on June 24, 2004 and circulated the Library News to members.

Community Health Care Facility

Moved by L. Halliday and seconded by E. Nickerson that the Municipality move on to the next phase of expansion of the Community Health Centre and consider expanding the facility to house a dentist and at least one separate medical practice, together with the parking required to service these practices.

Resolution C040641

Moved by D. Hunt and seconded by W. Smith that the above motion be referred to the Finance

Committee for further consideration.

Motion carried unanimously.

Resolution C040642

Moved by L. Halliday and seconded by D. Hunt that Municipal Staff investigate the funding provided from the province through the District Health Authority for the hiring of a Community Health Care Coordinator.

Motion carried unanimously.

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REPORT OF CLERK-TREASURER

It was agreed that the Clerk-Treasurer's Report be postponed until the next meeting of Council.

ATV'S ON TRAIL

Concern was expressed by councillors regarding the use of ATV's on the Barrington Bay Trail. Question was raised as to Council's authority in addressing this matter.

The Clerk agreed to discuss this matter with the Municipal Solicitor.

ADJOURNMENT

Moved by F. Bower that the meeting be adjourned.

The meeting was adjourned at 10:25 p.m.

Warden

Clerk

Secretary for the Meeting

Copied for Councillors on July 2, 2004 by Sharon Brannen.

