

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, August 24, 2009.

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

ROLL CALL

The Clerk reported that all councillors representing all districts of the Municipality were present.

- Warden Louise Halliday
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Murray Atkinson
- Councillor George El-Jakl
- Councillor Shaun Hatfield
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard

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

DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

APPROVAL OF MINUTES

Moved by C. O'Donnell and seconded by S. Hatfield that the minutes of the last meeting held August 10, 2009 be approved as circulated.

Motion carried unanimously.

BARRINGTON TOWNSHIP MUSEUM ASSOCIATION

Sally Nickerson of the Barrington Township Museum Association was not present at this time.

It was agreed that the Clyde River Land Use Committee be permitted to make their presentation first.

CLYDE RIVER LAND USE COMMITTEE - MINK RANCH

Approximately 80 members of the public were present for this portion of the meeting.

Doug Brannen and Tony Perry addressed the meeting on behalf of the Clyde River Land Use Committee.

Mr. Brannen informed members that since their presentation to the Committee of the Whole Meeting on August 17, 2009 he spent three (3) hours at the Municipal Office reviewing files and received a binder with copies of all requested information.

The Committee is now requesting:

- that Resolution C060429 be rescinded. This motion states: “that the Yarmouth Area Industrial Commission be provided with a 5 year option to purchase an additional 300 acres of land located off the 103 Highway near Clyde River, at a purchase price of \$220.00 per acre”.
- that Policy 12 Re: Sale of Municipal Property be reviewed with consideration being given to deleting Section 5, which reads as follows:

“The above procedures may be waived by the Municipal Council where they believe the public interest can be served by proceeding in a manner different than that stated above.”
- that the Council stop holding closed sessions dealing with matters which the public should be aware of.
- Council to recall or suspend the Development Permit issued to Maranatha Fur Farms Limited for the development of property in Clyde River.
- an independent review dealing with the sale of land from the Yarmouth Area Industrial Commission to Maranatha Fur Farms Limited.

Moved by C. O’Donnell and seconded by S. Hatfield that the Municipal Council rescind Resolution C060429 which reads:

“that the Yarmouth Area Industrial Commission be provided with a 5 year option to purchase an additional 300 acres of land located off the 103 highway near Clyde River at a purchase price of \$220.00 per acre.”

During discussion of this matter it was noted that our Municipal Solicitor is also the Solicitor for Maranatha Fur Farms Limited and therefore independent legal advice would be required

Resolution C090813

Moved by C. Stoddard and seconded by M. Atkinson that the above motion be amended to state: “pending advice from an independent lawyer”.

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O’Donnell
Cathy Stoddard

NEGATIVE

George El-Jakl

Motion carried.

The main motion as amended now reads as follows:

Resolution C090814

“...that the Municipal Council rescind Resolution C060429 which reads: “that the Yarmouth Area Industrial Commission be provided with a 5 year option to purchase an additional 300 acres of land located off the 103 Highway near Clyde River at a purchase price of \$220.00 per acre”, pending advice from an independent lawyer.”

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

George El-Jakl

Motion carried.

Resolution C090815

Moved by C. O'Donnell and seconded by S. Hatfield that the Municipality have the sale of land from the Yarmouth Area Industrial Commission to Maranatha Fur Farms Limited investigated by an independent body which holds authority and holds governance over municipal activities.

Motion carried unanimously.

Resolution C090816

Moved by S. Hatfield and seconded by G. El-Jakl that Policy No. 12 “Re: Sale of Municipal Property” be referred to the Committee of the Whole for review.

Motion carried unanimously.

Resolution C090817

Moved by G. El-Jakl and seconded by D. Messenger that every Council and Committee of the Whole Council meetings be webcast for residents of the Municipality and recorded.

Motion carried unanimously.

At this time Tony Perry addressed Council.

He thanked Council for the opportunity for his committee to express their concerns.

BARRINGTON TOWNSHIP MUSEUM ASSOCIATION

Sally Nickerson, President of the Barrington Township Museum Association, appeared before the meeting. She informed members that the Association was incorporated on July 20, 2009. The Association is currently exploring the possibility of purchasing a parcel of land on the Riverhead Road for the establishment of a museum. A Community Grant application has been forwarded from the Association requesting funds to assist with this purchase.

Mrs. Nickerson was advised that her request would better fit under Grants to Organizations and therefore she should consider applying next year prior to the deadline of March 31st. This will also give the organization an opportunity to get established and to build membership.

MATTERS ARISING FROM THE MINUTES

RFP Re: Sherose Island

The Clerk informed members that he has now reviewed the Request for Proposals received for a Phase III Environment Site Assessment on Sherose Island. Five responses were received. Only three (3) were received before the due date and time. Eligible responses were received from Ecco Environmental, CBCL Limited and Maritime Testing. Ecco Environmental did not provide any information on their experience with previous projects, nor staff. As a result, the evaluation of their proposal was very low. Both CBCL and Maritime Testing provided detailed information on their previous experience and their staff, as well as time schedules, the expected cost and their knowledge of the project.

Resolution C090818

Moved by S. Hatfield and seconded by D. Messenger that the proposal received from Maritime Testing be accepted being the lowest tender received.

Motion carried unanimously.

Dangerous and Unsightly Premise - Doug Townsend

The Clerk informed members that a report has been received from the By-Law Enforcement Officer suggesting that the file may now be closed since the property has been cleaned up.

Resolution C090819

Moved by G. El-Jakl and seconded by M. Atkinson that the By-Law Enforcement Officer further investigate this matter since a report has been received that some items have been moved behind the house.

Motion carried unanimously.

Physician Recruitment/Shelburne Medical Clinic

Further clarification has now been provided from the Municipality of Shelburne on their letter dated July 20, 2009. The Municipality of Shelburne has advised that they will be spending \$80,000.00 for physician recruitment, and \$170,000.00 for their share of the Medical Health Clinic this year. They are trying to determine if any other municipalities in the County have identified funds for these purposes for the fiscal year, and if so, are they willing to participate in the development of this project directly with them.

Resolution C090820

Moved by S. Hatfield and seconded by C. O'Donnell that the Municipality of Shelburne be advised that no money has been set aside in the budget this year for this purpose.

Motion carried unanimously.

Resolution C090821

Moved by D. Messenger and seconded by G. El-Jakl that the Shelburne Medical Clinic be referred to the Community Health Care Advisory Committee for discussion.

Motion carried unanimously.

Resolution C090822

Moved by G. El-Jakl and seconded by D. Messenger that the Municipality obtain stats from the Roseway Hospital Emergency Room indicating the number of clients they receive from the Municipality of Barrington.

Motion carried unanimously.

CORRESPONDENCE

Shelburne Association Supporting Inclusion

The Clerk informed members that correspondence has been received from the Shelburne Association Supporting Inclusion thanking Council for their grant in the amount of \$500.00.

Sou West Nova Metis Council

A thank you card has been received from the Sou West Nova Metis Council for Council's recent donation.

South West Shore Development Authority Re; Borrowing Guarantee

A copy of a letter addressed to Service Nova Scotia from the South West Shore Development Authority has been received. The letter requested an update on the process and time frame to have amendments to the Municipal Government Act finalized to enable municipalities to guarantee the borrowing of corporations.

During discussion of this matter it was noted that the response from The Honourable Jamie Muir received with the letter was only in part.

Resolution C090823

Moved by S. Hatfield and seconded by G. El-Jakl that a copy of the letter from The Honourable Jamie Muir regarding amendments to the Municipal Government Act to enable municipalities to guarantee the borrowings of corporations be requested.

Motion carried unanimously.

Thank You Card

The Warden informed members that a thank you card was received from Luella Belliveau thanking Council and staff for the retirement supper and gifts. Luella will be retiring from her position as Accountant on Friday, August 28, 2009.

REPORT OF WARDEN

The Warden gave a brief report on her activities since the last meeting of Council.

REPORT OF COUNCILLORS

Councillor Shaun Hatfield

Councillor Hatfield gave a brief report on his activities since the last meeting of Council.

Deputy Warden Donna LeBlanc-Messenger

Deputy Warden Messenger gave a brief report on her activities since the last meeting of Council.

Councillor Murray Atkinson

No committees to report.

Councillor Cathy Stoddard

Councillor Stoddard gave a brief report on her activities since the last meeting of Council. She informed members that she recently attended a meeting of the Tourism Development Committee. The Committee has invited applications for the position of Tourism Development Officer. Applications were shortlisted to 8. Interviews will be held Tuesday and Wednesday of this week.

Councillor George El-Jakl

Councillor George El-Jakl reported on the following meetings.

Hiring Committee

Resolution C090824

Moved by G. El-Jakl and seconded by M. Atkinson that Laura Lee Greenwood be hired as Accountant.

AFFIRMATIVE

Murray Atkinson
Louise Halliday
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

George El-Jakl

Motion carried.

Planning Advisory Committee

Vision Statement

Resolution C090825

Moved by G. El-Jakl and seconded by C. Stoddard that the Vision Statement again be recommended to Council as is.

Motion carried unanimously.

Committee of the Whole Council

Moved by G. El-Jakl and seconded by C. O'Donnell that Municipal Policy be revised for the sale of municipal property to provide an assurance to the community, and to invite public participation in any decision resulting in the sale of municipal property.

Moved by S. Hatfield that the above motion be tabled and referred to the Committee of the Whole Council for further discussion.

There being no seconder to the motion, the motion was declared lost.

Moved by C. O'Donnell that the above motion be amended to prevent Council from holding any closed sessions relating to municipally owned land and when Council gives or sells land the public be made aware.

There being no seconder to the amendment, the motion was declared lost.

Resolution C090826

Moved by S. Hatfield and seconded by G. El-Jakl that the above motion be tabled and referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

Moved by G. El-Jakl and seconded by C. O'Donnell that the Municipality bear the cost of setting up any public meeting with provincial officials regarding the establishment of a mink farm in Clyde River.

Resolution C090827

Moved by C. Stoddard and seconded by S. Hatfield that the above motion be amended to replace the word "any" with the word "a".

Motion carried unanimously.

The amended motion now reads:

Resolution C090827a

"...that the Municipality bear the cost of setting up a public meeting with provincial officials regarding the establishment of a mink farm in Clyde River."

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

CONTINUATION OF MEETING

Members consented unanimously to continue the meeting past the hour of 10:00 p.m.

Nominating Committee

Waterfront Development Committee

Resolution C090828

Moved by G. El-Jakl and seconded by S. Hatfield that since Waterfront Development Funds are no longer provided for that specific purpose by the Province and since this committee has been dormant for more than three years, the most recent members of the committee would be contacted first and pending their response if there is no indication that the committee is of any further use, it will be dissolved by Council.

Motion carried unanimously.

Resolution C090829

Moved by G. El-Jakl and seconded by C. O'Donnell that the list of committee membership for 2009 - 2010 be approved as per the attached list.

Motion carried unanimously.

Tri-County Housing Authority Representative

Resolution C090830

Moved by G. El-Jakl and seconded by M. Atkinson that A. Roy Quinlan be appointed as the Municipality's Tri-County Housing Authority representative.

AFFIRMATIVE

Shawn Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard
Murray Atkinson
Louise Halliday

NEGATIVE

George El-Jakl

Motion carried.

Resolution C090831

Moved by S. Hatfield and seconded by C. O'Donnell that a thank you letter be forwarded to all applicants who applied for the appointment to the Tri-County Housing Authority.

Motion carried unanimously.

Community Grant Request

Seaside Cemetery

Resolution C090832

Moved by G. El-Jakl and seconded by M. Atkinson that a grant of twelve hundred dollars (\$1,200.00) be provided from the District 6 Community Grants Fund to Seaside Cemetery Club in Newellton for the purpose of maintaining and expanding the cemetery.

Motion carried unanimously.

Archelaus Smith Museum

Resolution C090833

Moved by G. El-Jakl and seconded by M. Atkinson that a grant of one thousand dollars (\$1,000.00) from the District 6 Community Grants Fund be provided to the Archelaus Smith Historical Society for the purpose of painting the museum.

Motion carried unanimously.

Newellton Community Hall

Resolution C090834

Moved by G. El-Jakl and seconded by M. Atkinson that a grant of nine hundred and fifty dollars (\$950.00) be provided from the District 6 Community Grants Fund to the Newellton Community Hall for the purpose of replacing windows.

Motion carried unanimously.

Atlantic Cemetery Club

Moved by G. El-Jakl and seconded by C. O'Donnell that the request of the Atlantic Cemetery Club be denied and a letter be sent to this organization indicating that two thousand dollars (\$2,000.00) has already been approved in the current year's Community Grants to the Stoney Island Community Club.

Resolution C090835

Moved by S. Hatfield and seconded by C. O'Donnell that the above motion be tabled and referred to Committee of the Whole for further consideration.

Motion carried unanimously.

Blood Collection Clinics

Moved by G. El-Jakl and seconded by D. Messenger that the South West Health Authority be asked if they offer a reduced rate for blood collection services for seniors and those on fixed incomes, and if they do not, then would they consider putting a reduction in place for these people.

Motion withdrawn.

Resolution C090836

Moved by G. El-Jakl and seconded by D. Messenger that a letter be sent to the South West Health Authority and the Minister of Health requesting that rates for the blood collection service provided at the satellite clinic in Barrington be removed for seniors and those on fixed incomes.

Motion carried unanimously

Public Sorting Station

Resolution C090837

Moved by G. El-Jakl and seconded by M. Atkinson that the two proponents who submitted tenders for the public sorting station be informed of the action now being taken by the Municipality for reducing the cost of this project, and that they be asked to resubmit tenders on the new project once it is defined.

Motion carried unanimously.

Low Income Property Tax Exemption

It has been recommended to Council by the Committee of the Whole that the Municipality amend its Low Income Property Tax Exemption Policy by raising the limit and the reduction as follows:

\$125.00 - \$19,000. and under
\$150.00 - \$16,000. and under

Council has served notice tonight that the proposed amendment to the Low Income Property Tax Exemption Policy will be considered by Council at the next meeting.

Barrington Municipal High School

Resolution C090838

Moved by G. El-Jakl and seconded by C. Stoddard that a letter be sent to our MLA, to the Minister of Education and to the Tri-County Regional School Board with a copy to our local school board representative inquiring why the propane burners are not allowed to be used at the chemistry lab in the new Barrington Municipal High School.

Motion carried unanimously.

MINK RANCHES

Resolution C090839

Moved by G. El-Jakl and seconded by C. Stoddard that the Planning Advisory Committee be requested to explore the possibility of allowing mink ranches by Development Agreement in the Rural Development Zone, as opposed to having them listed as of right.

Motion carried unanimously.

Councillor Cecil O'Donnell

Councillor O'Donnell gave a brief report on his activities since the last meeting of Council.

Resolution C090840

Moved by C. O'Donnell and seconded by D. Messenger that a letter be written to the Provincial Minister of Health, and the Premier, reminding them of their election promise that no Emergency Rooms would be closed, and that they will be open 24/7.

Motion carried unanimously.

REPORT OF CLERK-TREASURER

The Clerk-Treasurer gave a brief report outlining his activities for the month of July, 2009.

The Clerk informed members that we will proceed to advertise internally for the position of Tax Clerk. This is now necessary since Laura Lee Greenwood, Tax Clerk, has been accepted for the position of Accountant.

LIGHTHOUSE ROAD - BACCARO

Pictures were circulated showing the amount of rock washed up on Lighthouse Road on Sunday, August 23, 2009, as a result of Hurricane Bill.

The Department of Transportation had previously been asked to construct a seawall in this area to prevent rocks being washed up in this area. To date, no action has been taken by the Department to address this request of Council.

Resolution C090841

Moved by C. O'Donnell and seconded by D. Messenger that the pictures be forwarded to the Provincial Minister of Transportation and Infrastructure Renewal, The Honourable Bill Esterbrooks, once again requesting the construction of a seawall to protect Lighthouse Road, and that this letter be copied for our MLA.

Motion carried unanimously.

NEW BUSINESS

Petition for Road Name

It was reported that a petition has been received to have a road located in North East Point, named "Ocean View Drive"

Resolution C090842

Moved by S. Hatfield and seconded by C. Stoddard that the request from residents to have their road named "Ocean View Drive" be approved.

Motion carried unanimously.

Consideration of Amendments to Policy 52

At a previous Council Meeting notice was given that consideration of amendments to Policy No. 52 "Council Meetings and Proceedings Policy" would be given tonight.

It is proposed that Section 8(16) of the policy be amended by adding "or by majority vote of Council" at the end of the paragraph.

Moved by C. O'Donnell and seconded by S. Hatfield that the proposed amendments be accepted and the policy be changed accordingly.

Motion carried unanimously.

Memorial Bench

It was reported that additional information has been obtained on the purchase of a park bench to be placed at the Barrington Municipal High School In Memory of Hattie Perry.

Resolution C090843

Moved by G. El-Jakl and seconded by D. Messenger that this matter be referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

CLOSED SESSION OF COUNCIL

At this time a closed session of Council was held to deal with a personnel matter and a legal matter dealing with the former BMHS property, well request.

The regular Council Meeting was then called back to order.

Business Park Tender Documents

The SWSDA is suggesting that tender documents for the Business Park be prepared now. This will save time later. The preparation of tender documents will cost approximately \$20,000.00.

Questions was raised as to whether or not funding approval has been received for this project. The Clerk informed members that funding approval has not yet been received.

Resolution C090844

Moved by G. El-Jakl and seconded by C. Stoddard that the request from SWSDA to have tender documents prepared now for the business park project be referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

ADJOURNMENT

Moved by G. El-Jakl that the meeting adjourn.

The meeting was adjourned at 12:10 a.m.

Warden

Clerk

Secretary for the Meeting

On website August 27, 2009.

