

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, December 13, 2010.

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 George El-Jakl
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Murray Atkinson
- Councillor Louise Halliday
- Councillor Shaun Hatfield
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

### CLOSED SESSION

At 6:30 p.m. a Closed Session of Council was held to deal with personnel matters.

### DECLARATIONS OF CONFLICT OF INTEREST

Councillor Halliday informed members that she would be declaring a conflict of interest when dealing with the recommendation from the Committee of the Whole Council regarding the JEPP application.

### APPROVAL OF MINUTES

**Moved** by M. Atkinson and seconded by C. O'Donnell that the minutes of the last meeting held November 22, 2010 be approved as circulated.

Motion carried unanimously.

### SCHOOL BOARD BUDGET CUTS AND C.S.I. SCHOOLS

Mr. Phil Landry, Superintendent for the Tri-County Regional School Board, and Board Representative, Andrea Huskilson-Newell, appeared before the meeting.

At the start of the presentation Mr. Landry informed members that they were not there to discuss C.S.I. Schools as this matter is currently going through the public review process and there would be plenty of opportunities for the public and councillors to provide input.

Mr. Landry informed members that School Boards are being advised to prepare for budget cuts that could amount to \$196,000,000 over a three year period. Information was circulated to council members showing the estimated impact of proposed funding reductions for the Tri-County Regional School Board for the years 2011/2012, 2012/2013, and 2013/2014. Total estimated reduction over the three year period will result in \$11.6 Million from the Tri-County Regional School Board.

Mr. Landry informed members that this is only an estimation since School Boards will not have access to their budget until March 2011. If the province proceeds with this proposal there will be cuts everywhere, not only in teachers and transportation. Mrs. Huskilson-Newell informed members that 80% of the budget currently goes towards salaries and they are already operating at bare bones. Mrs. Huskilson-Newell stated that we must retain at least what we have.

**Moved** by D. Messenger and seconded by M. Atkinson that discussion continue on this topic beyond the allotted time.

Motion carried unanimously.

Originally school boards were advised that the government was moving forward with the Expenditure Management Initiative (EMI) and has determined targets for the various departments and agencies. The provincial communication outlined the targets for the various sectors with health, education and community services expected to reduce their funding requirements by 5% over a three year period.

A short time later school boards were advised that in addition to the 5% boards must absorb the annual cost increases which are estimated at 6% for the 3 year period. This resulted in the funding reduction now being 11%. In October 2010 superintendents were advised that funding reductions would increase by a further 11% to cover the EMI Initiative which results in a total reduction of funding in the amount of 22% over a three year period.

#### Resolution C101201

**Moved** by D. Messenger and seconded by L. Halliday that a letter be written to the Minister of Education expressing Council's displeasure with the proposed budget cuts of 22% over a three year period and that this letter be forwarded to other municipal units in the tri-counties and that a copy also be provided to the MLA.

Motion carried unanimously.

Mrs. Huskilson-Newell and Mr. Landry were both thanked for appearing before Council and making their presentation.

MATTERS ARISING FROM THE MINUTES

C.S.I. Sewer

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting “offers to sell land” for the siting of small wastewater treatment systems for three proposed wastewater service areas on Cape Sable Island. Offers to sell land have been received from the following:

1. Jody Crook
2. Alva Blades
3. Gerald Hunt
4. Elizabeth & Gregory Malone
5. Wayne Nickerson
6. Richard A. Newell
7. Edward Allen

**Moved** by M. Atkinson and seconded by C. Stoddard that all submissions received be forwarded to the Project Manager for review.

Resolution C101202

**Moved** by C. Stoddard and seconded by D. Messenger that the above motion be tabled and further discussed at the Committee of the Whole Meeting.

**AFFIRMATIVE**

George El-Jakl  
Louise Halliday  
Donna LeBlanc-Messenger  
Cecil O’Donnell  
Cathy Stoddard

**NEGATIVE**

Murray Atkinson  
Shaun Hatfield

Motion carried.

HIGHWAY NO. 3 MANHOLE

The Clerk informed members that correspondence has been received from Aberdeen Paving Limited advising that they were unable to address the manhole on Trunk 3 at the intersection of Barrington Station Road this year and that the work will be carried over to 2011.

CLYDE RIVER LAND USE COMMITTEE REQUEST

The Clerk informed members that at the November 22, 2010 Council meeting a motion was passed that the Clyde River Land Use Committee be provided with a grant of \$287.50 from the District 4 Community Grants Fund to cover the fee which must accompany the application to the Farm Practices Board pending legal advice. Legal advice has now been received from the Municipal Solicitor and has been forwarded to councillors.

The Municipal Solicitor has advised against the Municipality becoming involved in this matter.

**Moved** by S. Hatfield and seconded by C. O'Donnell that the Clyde River Land Use Committee be provided with a grant of \$287.50 to cover the fee which is to accompany the application to the Farm Practices Board.

**AFFIRMATIVE**

Shaun Hatfield

**NEGATIVE**

Murray Atkinson

George El-Jakl

Louise Halliday

Donna LeBlanc-Messenger

Cecil O'Donnell

Cathy Stoddard

Motion defeated.

Herring Plant Workers Program

The Clerk provided an update on the Herring Plant Workers Program. Fourteen (14) individuals have been employed on this program to date. Most have completed the program and two are remaining. Word has been received from the provincial government indicating that the remaining two workers may work beyond the deadline of January 15, 2011 in order to obtain the required number of hours to qualify for EI benefits.

The Clerk also informed members that correspondence has been received from Human Resources and Skills Development Canada advising of programs in place to assist individuals on employment insurance benefits. Each member was provided with a copy of this letter in advance to the meeting.

Biosolids

The Clerk informed members that correspondence has been received from Nova Scotia Power in response to our letter about their consideration of biosolids as a fuel. The letter advised that Nova Scotia Power does not use biosolids as fuel. Should it become apparent in the future that biosolids are a viable option then they would give full consideration to the opportunity at that time.

The Clerk informed members that an email has been received from Marilyn Cameron regarding biosolids being in the food chain. In her email she indicated that if Council wishes she would be willing to come to Council to make a brief presentation about the major concerns surrounding the use of biosolids, some options about what technologies are available for renewable energy, and what council can do to help.

Resolution C101203

**Moved** by L. Halliday and seconded by C. Stoddard that this matter be referred to the Committee of the Whole for further discussion.

Motion carried unanimously.

CORRESPONDENCE

Letter from Ann Buckingham Re: Heritage Property

In advance to the meeting each member was provided with a copy of a letter received from Ms. Ann Buckingham. Ms. Buckingham is requesting that her property located at 3547 Highway No. 3 in Barrington Passage be deregistered as a heritage property. Ms. Buckingham is requesting the deregistration due to the high insurance cost associated with a heritage property.

Resolution C101204

**Moved** by D. Messenger and seconded by C. Stoddard that the Municipality take steps to deregister the Municipal Heritage Property belonging to Ann Buckingham located at 3547 Highway No. 3 in Barrington Passage.

Motion carried unanimously.

Ombudsman's Report

It was reported that a copy of the Annual Ombudsman's Report has been received covering the period April 1, 2009 to March 31, 2010. Anyone wishing to review the report may borrow the copy from the Municipal Office or visit the Office of the Ombudsman's website at [www.gov.ns.ca/ombudsman](http://www.gov.ns.ca/ombudsman).

Request - Sport Hall of Fame

In advance to the meeting each member was provided with a copy of information received from the Nova Scotia Sport Hall of Fame in which they request a donation to the future Hall of Famers Education Program for 2011.

No action was taken on this matter.

REPORT OF COUNCILLORS

Each councillor was given an opportunity to report on their activities since the last meeting of Council.

Recommendations

Councillor Stoddard reported on recommendations to Council.

Committee of the Whole Council, November 29, 2010

C.S.I. School Site

Resolution C101205

**Moved** by M. Atkinson and seconded by S. Hatfield that a letter be sent to the Tri-County Regional School Board and the School Advisory Committee indicating that the Municipality would consider the purchase of additional property from Edward and Mary Allen for use of the Cape Sable Island Elementary School, if necessary.

Motion carried unanimously.

Resolution C101206

**Moved** by M. Atkinson and seconded by S. Hatfield that a letter be sent to the Allens thanking them for their offer to sell property and asking them to indicate the size of the property which they will provide and at what price.

Motion carried unanimously.

Tax Reduction Re: Lorimer Nickerson

Resolution C101207

**Moved** by S. Hatfield and seconded by C. O'Donnell that the taxes on the property of Mr. Lorimer Nickerson at 793 Stoney Island Road, Clam Point, be reduced proportionately to the reduction in assessment as a result of destruction of the property by fire.

Motion carried unanimously.

Tax Reduction Application - Sandra Symonds

This property suffered significant fire damage on January 27, 2009.

Resolution C101208

**Moved** by D. Messenger and seconded by C. O'Donnell that a proportional tax reduction be provided on property owned by Sandra Symonds (Goreham) at 6576, Highway No. 3, Lower Wood's Harbour.

Motion carried unanimously.

Christmas Break

Resolution C101209

**Moved** by C. O'Donnell and seconded by C. Stoddard that the Municipal Office and Building Inspection Office close for the 3 ½ days required to provide a Christmas break, from noon on December 24, 2010 with the offices opening again at 8:30 a.m., on Tuesday, January 4, 2011.

Motion carried unanimously.

Resolution C101210

**Moved** by D. Messenger and seconded by M. Atkinson that the Municipal Personnel Policy be amended to deal with the Christmas break on an ongoing basis.

Motion carried unanimously.

Me to We Tri-County Request

Resolution C101211

**Moved** by C. Stoddard and seconded by M. Atkinson that permission be given to the Me to We Tri-County Group to conduct a fundraiser entitled "One Brick at a Time" campaign at the Barrington Municipal Arena until December 24, 2010 in order to raise funds so that they may travel to Kenya, Africa in March 2012 to build a school for underprivileged children.

Motion carried unanimously.

Highway Beach Signs

Resolution C101212

**Moved** by C. O'Donnell and seconded by S. Hatfield that the Municipality purchase and install two 8' X 12' signs on Highway 103 near the appropriate boundaries to the Municipality.

Motion carried unanimously.

Cooke's Aquaculture

Correspondence has been received from the Town of Shelburne regarding the development of fish farms in Shelburne Harbour. The Town of Shelburne has requested a letter of support.

Resolution C101213

**Moved** by L. Halliday and seconded by C. O'Donnell that a letter be sent to the Town of Shelburne wishing them well with their project and also indicating to the Town that the Municipality wishes to remain neutral in regards to this development.

Motion carried unanimously.

Herring Plant Workers Program Update

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Resolution C101214

**Moved** by S. Hatfield and seconded by C. Stoddard that a letter be sent to the MLA thanking him for instituting the Herring Plant Workers Program.

Motion carried unanimously.

Resolution C101215

**Moved** by C. O'Donnell and seconded by C. Stoddard that a letter be forwarded to Municipal Staff thanking them for carrying out the Herring Plant Workers Program.

Motion carried unanimously.

Organizational Study

Resolution C101216

**Moved** by M. Atkinson and seconded by S. Hatfield that a letter be sent to the Minister of Service Nova Scotia and Municipal Relations requesting funding to hire a recruiter for searching for a CAO for the Municipality.

Motion carried unanimously.

Committee of the Whole Council, December 6, 2010

Municipal Physical Activity Leader Program

**Moved** by D. Messenger and seconded by C. Stoddard that the Municipality send a letter to the Town of Clark's Harbour suggesting their participation in the Municipal Physical Activity Leader Program.

**Moved** by S. Hatfield and seconded by D. Messenger that the above motion be amended by deleting the word "suggesting their" and inserting the words "inviting their joint".

Motion carried unanimously.

The motion as amended now reads as follows:

Resolution C101217

"...that the Municipality send a letter to the Town of Clark's Harbour inviting their joint participation in the Municipal Physical Activity Leader Program."

Motion carried unanimously.

Generator Request from Emergency Measures Operations

Conflict of Interest

Councillor Louise Halliday declared conflict of interest, vacated her seat and proceeded to the spectator area as her husband's business is a local supplier of generators.

Resolution C101218

**Moved** by C. O'Donnell and seconded by D. Messenger that the Municipality support the application for JEPP funding for a generator, in principle, and that the provision of funds for this purpose be included in budget deliberations for the next fiscal year.

**AFFIRMATIVE**

Murray Atkinson

George El-Jakl

Louise Halliday

Shaun Hatfield

Donna LeBlanc-Messenger

Cecil O'Donnell

**NEGATIVE**

Cathy Stoddard

Motion carried.

Councillor Halliday then returned to her seat at the table.

Property Acquisition Request from Rosalie Holmes

**Moved** by M. Atkinson and seconded by S. Hatfield that the Municipality respond to the request of Rosalie Holmes indicating that Council does not wish at this time to sell the three properties in question, and should Council change its mind in future, she would be given the opportunity to purchase the properties.

**Moved** by S. Hatfield and seconded by C. O'Donnell that the above motion be amended by deleting all wording after the word "question".

Motion carried unanimously.

The motion as amended now reads as follows:

Resolution C101219

"...that the Municipality respond to the request of Rosalie Holmes indicating that Council does not wish at the present time to sell the three properties in question."

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O'Donnell

**NEGATIVE**

Cathy Stoddard

Motion carried.

Shelburne County Senior Safety Grant

Resolution C101220

**Moved** by C. O'Donnell and seconded by S. Hatfield that a letter of support be provided for the application to the Nova Scotia Department of Health for a Shelburne County Senior Safety Grant.

Motion carried unanimously.

FCM Conference Promotion Booth

**Moved** by D. Messenger that the Municipality request the Shelburne County Tourism Committee to allow its Coordinator to establish a booth at the Federation of Canadian Municipalities Conference in Halifax in 2011 and that the Coordinator attend the booth if possible, and if not possible, then to set up the booth specifically on behalf of the Municipality of the District of Barrington.

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

Resolution C101221

**Moved** by S. Hatfield and seconded by D. Messenger that the matter of the FCM Conference promotion booth be referred back to the Committee of the Whole for further discussion.

Motion carried unanimously.

Guardrail

**Moved** by C. O'Donnell and seconded and seconded by C. Stoddard that the Municipality contact the local Department of Transportation requesting some type of barrier, in the form of a guardrail or posts, be installed along the edge of the road in front of the property of Donald and Norma Messenger to prevent any further encroachment of the road on their private property.

**Moved** by S. Hatfield and seconded by C. O'Donnell that the above motion be amended by removing the wording "to prevent any further encroachment of the road on their private property".

The amended motion now reads as follows:

Resolution C101222

"...that the Municipality contact the local Department of Transportation requesting some type of barrier in the form of a guardrail or post be installed along the edge of the road in front of the property of Donald and Norma Messenger located in Upper Clyde."

Motion carried unanimously.

Purchase of Property at Sherose Island

Council at their meeting held November 8, 2010 passed a motion to purchase the surplus federal property located at Sherose Island at a cost of \$2,650.00. A Sale Agreement has now been received from Public Works and Government Services Canada. Section 5 of the Sale Agreement requires the Municipality to provide Public Works and Government Services Canada with a motion of Council confirming the authority of the Municipality to acquire the lands.

Resolution C101223

**WHEREAS** the Municipal Government Act states in Section 50(1): “the Municipality may acquire and own property”;

**AND WHEREAS** Section 65 states: “The Council may expend the money required by the Municipality for Section 65(x), land and buildings required for a municipal purpose.”;

**AND WHEREAS** Section 66(1) states: “A municipality may borrow to carry out an authority to expend funds for capital purposes conferred by this Act.”;

**AND WHEREAS** Section 99(4) states: A withdrawal from the Capital Reserve Fund shall be authorized by a Council, by resolution, and may only be used for Section 99(4)(a) Capital Expenditures for which the Municipality may borrow.”;

**THEREFORE BE IT RESOLVED** that the Municipality of the District of Barrington withdraw funds from the Special Reserve Fund Capital to purchase property from Public Works and Government Services Canada at a cost of \$2,650.00, plus survey and legal fees, for the purpose of adding the property to the Municipal Recreation Complex lands at Sherose Island.

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O’Donnell  
Cathy Stoddard

**NEGATIVE**

Louise Halliday

Motion carried.

MOTION FROM CLOSED SESSION OF COUNCIL

Request from Debra Atwood

Resolution C101224

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**Moved** by S. Hatfield and seconded by C. O'Donnell that Debra Atwood be granted a further six months leave of absence due to illness subject to a letter being received from her doctor within 30 days supporting her request.

Motion carried unanimously.

REPORT OF WARDEN

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

NEW BUSINESS

Colby Brannen/Carmen Nickerson Property

The Clerk informed members that the dangerous and unsightly condition of property of Colby Brannen and Carmen Nickerson located at 15 Cripple Creek Wharf Road has been addressed. The property was sold and the new owner has demolished the house and removed all debris from the property.

Illegal dumping - Malcolm Gray and Carol Patterson

The Clerk informed members that illegal dumping has been taking place on property of Malcolm Gray and Carol Patterson located at Kenney Beach Road in South Side. Numerous attempts have been made for Mr. Gray and Ms. Patterson to address the illegal dumping, without success. Staff is requesting that a Council Order be issued requiring the property owner to address the illegal dump sites on the property by removing waste and disposing of it at an approved disposal site and failure to do so may result in the Municipality removing the waste from the site and the cost of doing so being added to their tax account.

Resolution C101225

**Moved** by S. Hatfield and seconded by M. Atkinson that a Council Order be issued requiring Malcolm Gray and Carol Patterson to address the illegal dump sites located on their property on Kenney Beach Road in South Side, by cleaning up all illegal dump sites and disposing of waste at an approved disposal site within 30 days of the date of the Order and that failure to do so will result in the Municipality taking action to have the sites cleaned up and the cost of so doing being added to their tax account.

Motion carried unanimously.

Sanctuary Development Property

The Clerk informed members that illegal dumping has also been taking place on property of Sanctuary Development Limited located on Kenney Beach Road in South Side. Numerous attempts have been made for the property owner to address the illegal dumping without success. Council is now being asked to consider issuing an order to have the illegal dump sites cleaned up.

Resolution C101226

**Moved** by C. O'Donnell and seconded by S. Hatfield that Council issue an order requiring the property owner, Sanctuary Development Limited, to address the illegal dump sites on their property located in the Kenney Beach Road area by removing the waste and disposing of it at an approved disposal site within 30 days from the date of the Order and failure to do so will result in the Municipality taking steps to have the waste cleaned up and the cost of so doing being placed on their tax account.

Motion carried unanimously.

Tenders for Land

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting tenders for the sale of three surplus municipal properties. No tenders were received.

ADJOURNMENT

**Moved** by C. O'Donnell that the meeting adjourn.

The meeting was adjourned at 9:30 p.m.

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Warden

Clerk

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Secretary for the Meeting

**On website December 16, 2010.**