

Minutes of the Regular Meeting of the Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, October 24, 2011.

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 at both the closed session and the regular session of council.

- Warden George El-Jakl
- Deputy Warden Donna LeBlanc-Messenger (arrived at 6:47 p.m.)
- Councillor Murray Atkinson
- Councillor Louise Halliday
- Councillor Shaun Hatfield (arrived at 6:49 p.m.)
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

### CLOSED SESSION OF COUNCIL

At 6:45 p.m. a Closed Session of Council was held to deal with personnel matters.

### REPORT ON CLOSED SESSION

#### Yearly increment

#### Resolution C111022

**Moved** by S. Hatfield and seconded by L. Halliday that Wanda Goreham, Tax Clerk, be granted her yearly increment effective October 21, 2011.

Motion carried unanimously.

### DECLARATIONS OF CONFLICT OF INTEREST

Councillor Halliday informed members that she will be declaring conflict of interest when dealing with the 2012/13 JEPP Application.

### APPROVAL OF MINUTES

**Moved** by C. O'Donnell and seconded by C. Stoddard that the minutes of the last meeting of Council held October 11, 2011 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

50 km Speed Zone - Trunk 3

As a result of Council's request, correspondence has been received from the Department of Transportation advising that the 50 km speed zone on Trunk 3 near the former Barrington Consolidated School will be increased to 70 km and will be extended approximately five hundred metres east. The 50 km zone will now begin in front of the RCMP Detachment.

Vehicle Tender

The Clerk informed members that contact has been made with the Municipal Solicitor regarding the vehicle tenders received by the Municipality. It is the advice of the Municipal Solicitor that the vehicle should be re-tendered and all previous bidders should be sent a letter with the new tender explaining that all bids were non-compliant.

Resolution C111023

**Moved** by C. O'Donnell and seconded by C. Stoddard that all four tenders received as result of the second tender for a vehicle for the Property Services Department be rejected as recommended by the Municipal Solicitor.

Motion carried unanimously.

Resolution C111024

**Moved** by M. Atkinson and seconded by D. Messenger that the Municipality tender for a 2012, 3/4 ton, 4X4 truck with a plow package and that the specification list be amended by removing reference to black bumpers and mirrors.

**AFFIRMATIVE**

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

**NEGATIVE**

George El-Jakl

Motion carried.

PROCLAMATION - RESTORATIVE JUSTICE WEEK 2011

The Warden informed members that correspondence has been received from Correctional Services Canada advising that Restorative Justice Week will be held in November 2011. A Proclamation was provided which was read by the Warden.

**WHEREAS**, in the face of crime or conflict, restorative justice offers a philosophy and approach that views these matters principally as harm done to people in relationships; and

**WHEREAS**, restorative justice approaches strive to provide support and opportunities for the voluntary participation and communication between those affected by crime and conflict (victims, offenders, community) to encourage accountability, reparation and a movement towards understanding, feelings of satisfaction, healing and a sense of closure; and

**WHEREAS**, this year's theme for restorative justice week is "*Re-visioning Justice*", it is an opportunity to learn about restorative justice, educate and celebrate along with other communities across the country during the week.

Having received no opposition from members, the Warden declared November 13 - 20, 2011 as Restorative Justice Week in the Municipality of Barrington.

#### CORRESPONDENCE

##### Thank You Letter - Western Counties Regional Library

The Clerk informed members a letter has been received from the Western Counties Regional Library thanking Council for their donation of 10 pairs of public pool passes for the Library's 2011 Children's Summer Reading Club.

##### Thank You letter - ERMES

The Clerk informed members that a thank you letter has been received from the Evelyn Richardson Memorial Elementary School thanking Council for their grant of \$5,000.00 to be used to improve their playground.

#### REPORT OF WARDEN

The Warden gave a brief report on his activity since the last meeting of Council. During his report he informed members that he has received a copy of the audited financial statements for the Y-A-B District Planning Commission which will be kept in the Municipal Office for easy access by members.

#### REPORT OF COUNCILLORS

##### Councillor Cathy Stoddard

Councillor Stoddard gave a brief report on her activities since the last meeting of Council.

#### COMMITTEE RECOMMENDATIONS

Council Stoddard reported on Committee Recommendations.

Former BMHS Property

Resolution C111025

**Moved** by M. Atkinson and seconded by D. Messenger that the Municipality respond to the Municipality's Solicitor that the Municipality will not enter into any settlement proposal concerning the former BMHS property.

Motion carried unanimously.

Municipal By-Law Re: Wind Turbine Generators

Resolution C111026

**Moved** by M. Atkinson and seconded by S. Hatfield that the Senior Planner be requested to provide the Planning Advisory Committee information regarding the amendments requested by Mr. Randal Smith and invite Mr. Smith to the next Planning Advisory Committee meeting for the purpose of discussing the proposed amendments concerning wind turbine generators.

Motion carried unanimously.

Butler's Estate Sewer System

Resolution C111027

**Moved** by C. O'Donnell and seconded by D. Messenger that the Municipality take over the sewer system as requested by Butler's Estates Limited once the road has been completed as required by the Subdivision By-Law.

Motion carried unanimously.

Resolution C111028

**Moved** by M. Atkinson and seconded by C. Stoddard that residents of Butler's Road be informed in the immediate future that the Municipality will be taking over the sewer line on Butler's Road and Butler's Estates as requested and that the residents of Butler's Road will be given a 30 days notice by the end of August, 2012 requiring them to connect to the Municipal Sewer System on Butler's Road no later than September 30, 2012.

Motion carried unanimously.

Oak Park Road

Resolution C111029

**Moved** by C. O'Donnell and seconded by D. Messenger that a letter be sent to the Minister of Transportation and Infrastructure Renewal requesting that maintenance be done on the Oak Park Road as soon as possible as it is believed to be in an unsafe state of repair.

Motion carried unanimously.

Department of Transportation Cutbacks

Correspondence has been received from the District of Yarmouth requesting other Municipal Units to provide instances of cutbacks on road maintenance in their area as a result of cutbacks in the Department of Transportation Budget.

Resolution C111030

**Moved** by C. O'Donnell and seconded by S. Hatfield that a letter be sent to the District of Yarmouth indicating that there is lack of satisfactory maintenance being done on all secondary roads within the Municipality.

Motion carried unanimously.

Ken Simpson - Memorial Lecture Series Fund

Correspondence has been received from the UNSM requesting contributions be made to the Ken Simpson Memorial Lecture Series so that these series of lectures on Municipal Government can be provided every four years. Each Municipal Unit in the province is being asked to contribute between \$500.00 and \$1,000.00.

Resolution C111031

**Moved** by C. Stoddard and seconded by D. Messenger that the Municipality include a contribution to the Ken Simpson Memorial Lecture Series Fund in its budget considerations for the next year.

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Louise Halliday  
Donna LeBlanc-Messenger  
Cecil O'Donnell  
Cathy Stoddard

**NEGATIVE**

Shaun Hatfield

Motion carried.

Visit to Chelsea, Quebec

Members were informed that the Department of Environment is willing to pay \$2,500.00 towards the cost of sending a municipal employee and a councillor to Chelsea, Quebec for the purpose of viewing how they address the on-site septic issues in their community. The Department will be sending representatives from Richmond County, Nova Scotia at the same time.

Resolution C111032

**Moved** by D. Messenger and seconded by L. Halliday that the Municipality respond to the invitation by indicating that there is no interest in attending at Chelsea, Quebec at the present time.

Motion carried unanimously.

Crow's Neck Beach

Resolution C111033

**Moved** by C. O'Donnell and seconded by S. Hatfield that a letter be sent to Nova Scotia Nature Trust asking them how they access Crow's Neck Beach and if this access is a means that local residents may use.

Motion carried unanimously.

Fire Services Co-Ordinator

**Moved** by C. O'Donnell and seconded by D. Messenger that two of the local fire chiefs and our Municipal Advisor be present at the interviews conducted for the Fire Services Co-Ordinator in order to advise members on the qualifications of the applicants, but not to vote on a recommendation to Council.

**Moved** by S. Hatfield and seconded by C. O'Donnell that the above motion be amended by inserting the words "pending the advice of the Municipal Solicitor".

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C111034

"...that two of the local fire chiefs and our Municipal Advisor be present at the interviews conducted for the Fire Services Co-Ordinator in order to advise members on the qualifications of the applicants, but not to vote on a recommendation to Council, pending the advice of the Municipal Solicitor.

Motion carried unanimously.

Councillor Shaun Hatfield

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

Councillor Murray Atkinson

Councillor Atkinson 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 Louise Halliday

Councillor Halliday gave a brief report on her activities since the last meeting of council.

Councillor Cecil O'Donnell

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

REPORT OF CLERK-TREASURER

The Clerk-Treasurer gave a brief report on his activities during the month of September.

During the Clerk's report question was raised regarding repairs to the Seal Island Light. The Clerk informed members that he has been in contact with the Cape Sable Historical Society as requested by Council and they have suggested that we make contact with our MP. The Clerk informed members that he has contacted the MP's office and is now waiting for a reply.

The Governance Survey was then briefly discussed. It was noted that this matter is scheduled for discussion at the next Committee of the Whole Council meeting. It was suggested that in the meantime the previous two scenarios presented to the Committee be released to the news media for public feedback. One scenario was for 5 districts including a warden and the other scenario was for 4 districts plus a mayor.

Resolution C111035

**Moved** by S. Hatfield and seconded by M. Atkinson that the two proposed scenarios be released to the news media for the consideration of constituents and that it be made clear that other scenarios will also be considered.

AFFIRMATIVE

Murray Atkinson  
Shaun Hatfield  
Cecil O'Donnell  
Donna LeBlanc-Messenger

NEGATIVE

Cathy Stoddard  
Louise Halliday  
George El-Jakl

Motion carried.

During the discussion of this matter it was noted that the two scenarios put forth were prepared by staff and have not been discussed by Council.

NEW BUSINESS

Appointment to Bay Side Home Board of Directors

The Clerk informed members that contact has been made with the Municipal Solicitor regarding the acceptance of the three applications received for the three vacancies currently existing on the Board of Directors of Bay Side Home. The Solicitor has advised that Council can proceed legally to accept the three applications received without further process.

Steps will now be taken to notify the three applicants and Bay Side Home of Council's appointments.

First Reading - Proposed Amendments to Dog By-Law - Leash Requirements

The Clerk informed members that it is proposed that Section 6 of the Dog-By-Law be amended as follows:

"When using Municipal Trails and Sidewalks, dogs must be on a leash, at all times, held by a person able to control the dog."

Resolution C111036

**Moved** by D. Messenger and seconded by C. Stoddard that proposed amendments to the Dog By-Law be approved in first reading.

Motion carried unanimously.

SPCA Letter Re: Cat Population

The Clerk informed members that correspondence has been received from Kristin Williams, Executive Director, Nova Scotia SPCA regarding the formation of a new SPCA Branch in Shelburne County.

Resolution C111037

**Moved** by C. Stoddard and seconded by D. Messenger that the information received from Kristin Williams be forwarded to both "Animals in Need" and "Feral Cats of Barrington Municipality" and ask that they contact her if they wish to proceed with the establishment of a local SPCA Branch.

Motion carried unanimously.

Senior Services - Letter of Support

The Clerk reported that Wanda Mood, Senior Services Co-Ordinator, has requested a letter of support from Council in support of her application to the Nova Scotia Department of Seniors for a Safety Grant.



Resolution C111038

**Moved** by C. O'Donnell and seconded by S. Hatfield that a letter of support be provided to the Senior Services Co-Ordinator in support of her application for a Safety Grant.

Motion carried unanimously.

Building Permit Report

In advance to the meeting, each member was provided with a copy of the Building Inspection Report for the 6 month period ending September 30, 2011. The number of permits issued was 104 as compared to 83 in 2010. The value of permits was \$3,076,800. as compared to \$1,942,100. for 2010.

Economic Development Council

In advance to the meeting each member was provided with correspondence regarding the establishment of the Yarmouth - Shelburne Economic Development Council. The interim Economic Development Council will be in place for a 14 month period beginning November 1, 2011. It is proposed that the Municipal contribution be limited to costs of supporting their appointed members and CAO's participation in the Economic Development Council meetings. The balance of the necessary funding will be sought through ACOA and NSERDT.

**Moved** by S. Hatfield and seconded by C. Stoddard that the Municipality of Barrington participate in the interim Economic Development Council for a 14 month period beginning November 1, 2011.

Resolution C111039

**AFFIRMATIVE**

Cathy Stoddard  
Shaun Hatfield  
Donna Le-Blanc Messenger  
George El-Jakl

**NEGATIVE**

Murray Atkinson  
Louise Halliday  
Cecil O'Donnell

Motion carried.

Remembrance Day Wreaths

Discussion took place regarding the laying of wreaths at the various Remembrance Day Services. The following was agreed to:

Clark's Harbour - Councillor Stoddard  
Stoney Island - Councillor Hatfield  
Woods Harbour - Warden El-Jakl  
Barrington - Deputy Warden Messenger  
BMHS - Warden El-Jakl  
Forest Ridge Academy - Councillor O'Donnell

2012/13 JEPP Application

Conflict of Interest

Councillor Halliday declared Conflict of Interest, vacated her seat and proceeded to the spectator area. Councillor Halliday declared Conflict of Interest because her husband's company, A. W. Halliday Marine Limited, may tender on the generator.

It was reported that the EMO Executive Committee is requesting approval for a 2012-2013 JEPP Application for the purpose of a generator for the Royal Canadian Legion Building in the amount of \$19,152.27.

Resolution C111040

**Moved** by D. Messenger and seconded by C. O'Donnell that the Municipality approve the application to the JEPP Program for funding for the purchase of a generator for the Royal Canadian Legion Building in the amount of \$19,152.27.

Motion carried unanimously.

Councillor Halliday returned to the meeting.

The EMO Executive Committee is also requesting the purchase of a TMR Radio for EMO use.

Resolution C111041

**Moved** by D. Messenger and seconded by C. O'Donnell that one TMR radio be purchased from the current EMO budget subject to there being sufficient funds.

Motion carried unanimously.

Goose Lake Road

Councillor O'Donnell informed members that a resident of Goose Lake has expressed concern regarding the condition of the road. Although the road is private there are twenty-five families residing in Goose Lake and the resident is requesting that fill be placed in the pot holes on the road. It was also suggested that road deterioration could be as a result of camp lease holders using the road to access municipal camp lots.

**Moved** by C. O'Donnell and seconded by S. Hatfield that the Property Services Department be requested to inspect the condition of the Goose Lake Road and report back to the next Council meeting.

Conflict of interest

Deputy Warden Donna LeBlanc- Messenger declared Conflict of Interest, vacated her seat and proceeded to the spectator area. Deputy Warden Messenger owns two properties in the Goose Lake Area.

During discussion of this matter reference was made to the Local Improvement By-Law.

Resolution C111042

**Moved** by C. O'Donnell and seconded by S. Hatfield that the above motion be tabled until further information is received.

Motion carried unanimously.

It was agreed that a copy of the Local Improvement By-Law be forwarded to the resident expressing concern. Councillor O'Donnell agreed to provide the name of the resident to the Municipal Clerk in order that information can be provided to him.

Deputy Warden Messenger returned to the meeting.

ADJOURNMENT

Moved by M. Atkinson that the meeting adjourn.

The meeting was adjourned at 8:55 p.m.

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Warden

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Clerk

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Secretary for the Meeting

**On website October 26, 2011.**

