

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, September 26, 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 with the exception of Councillor Cecil O'Donnell. Councillor O'Donnell was absent due to medical reasons.

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

### CLOSED SESSION OF COUNCIL

At 6:00 p.m. a Closed Session of Council was held to deal with Clerk's performance evaluation and other personnel matters.

### REPORT ON CLOSED SESSION

The Warden informed members that in the Closed Session the Clerk's performance evaluation was discussed and another Closed Session will be held at the end of the meeting to discuss other personnel matters.

### DECLARATIONS OF CONFLICT OF INTEREST

The Warden informed members that he will be declaring conflict of interest when dealing with the request from the River Hills Golf & Country Club as his brother was one of the individuals who made the presentation to the Committee of the Whole.

### APPROVAL OF MINUTES

**Moved** by D. Messenger and seconded by M. Atkinson that the minutes of the last meeting held September 12, 2011 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Blaine Hirtle - Variance Request

The Clerk informed members that Mr. Blaine Hirtle, of Old Post Road, requested a variance from Council for the front yard setback in order to construct a storage building on his property. Mr. Hirtle has requested a variance to reduce the front yard from 25 feet to 10 feet. At a meeting in July, concern was raised regarding an old road which formerly crossed Mr. Hirtle's property. This road provides access to land owned by Sidney Spencer. The question of the road is still being investigated by the Department of Transportation.

Members were advised that this matter will be brought forward again once a final determination has been made regarding the road.

NOVA SCOTIA BOAT RACERS ASSOCIATION

At the last meeting of Council Mr. Eddie Nickerson of the Nova Scotia Boat Racers Association appeared before Council and asked if the Municipality would be interested in partnering with them to promote the local area with an annual sponsorship to the Association of \$1,500.00 per year for the next three years, starting in 2012. During his presentation he informed members that the Association is not requesting funds under grant policies. He advised that if the Municipality chooses to become a partner with Nova Scotia Boat Racers Association they will advertise the Municipality of Barrington as a participating sponsor on all their advertisements, including their website.

At that meeting Council supported the funding request of the Nova Scotia Boat Racers Association subject to the organization still being in operation and funding being permitted by the Municipal Government Act.

After communication with the Municipal Advisor of Service Nova Scotia and Municipal Relations, Paul Wills, it has been realized that there is no reference in the Municipal Government Act that allows the Municipality to participate in a sponsorship of this nature. Mr. Wills advised that Council can provide an operating grant to the Nova Scotia Boat Racers Association if they meet the criteria as laid out in our grant policies.

**Moved** by S. Hatfield and seconded M. Atkinson that the Nova Scotia Boat Racers Association be advised that the Municipal Government Act does not permit the Municipality to provide funding to the Association by way of sponsorship, and to be fair to other organizations the NSBRA be required to make application for a grant, including financial statements.

**Moved** by L. Halliday and seconded by C. Stoddard that the above motion be amended to state that the funding request from the Nova Scotia Boat Racers Association is to be submitted yearly as it is not recommended by Service Nova Scotia & Municipal Relations that the Municipality commit to three years.

Amendment carried unanimously.

The amended motion now reads as follows:

Resolution C110925

“...that the Nova Scotia Boat Racers Association be advised that the Municipal Government Act does not permit the Municipality to provide funding to the Association by way of sponsorship, and to be fair to other organizations the NSBRA be required to make application for a grant, including financial statements, yearly, as it is not recommended by Service Nova Scotia that the Municipality commit to three years.

Motion carried unanimously.

CORRESPONDENCE

No correspondence.

REPORT OF WARDEN

The Warden gave a brief report on his 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.

Recommendations from Committee

Councillor Hatfield reported on recommendations from the Committee of the Whole Council.

Animals in Need Request

Resolution C110926

**Moved** by M. Atkinson and seconded by C. Stoddard that a letter be sent to the local veterinary office requesting them to consider offering a reduced rate for spaying and neutering of feral and stray cats brought to them by members of the *Animals in Need* group.

Motion carried unanimously.

Resolution C110927

**Moved** by C. Stoddard and seconded by D. Messenger that a letter of request be sent to the Province asking the Province to build a shelter for an SPCA branch in Shelburne County, and that this letter also be sent to the main office of the SPCA in Halifax, and include a provision that the Municipality will consider offering municipal land for the purpose of an SPCA shelter.

Motion carried unanimously.

Resolution C110928

**Moved** by D. Messenger and seconded by M. Atkinson that a letter be sent to the *Animals in Need* group when responses have been received from the Provincial Government and the main office of the SPCA.

Motion carried unanimously.

Riverdale Cemetery Request

Resolution C110929

**Moved** by C. Stoddard and seconded by S. Hatfield that correspondence be sent to the Riverdale Cemetery asking them why they are in need of a grant when they have sufficient funds available.

Motion carried unanimously.

Department of Transportation Agreement

Resolution C110930

**Moved** by M. Atkinson and seconded by C. Stoddard that the Warden and Clerk-Treasurer be authorized to enter into the cost shared agreement for the paving of "J" class subdivision streets for a three year period beginning April 1, 2012 on behalf of the Municipality.

Motion carried unanimously.

Tri-County Pregnancy Care Request

**Moved** by S. Hatfield and seconded by M. Atkinson that Community Grants of \$100.00 each be provided to the Tri-County Pregnancy Care Centre from the Community Grant Funds for Districts 4, 5 and 6.

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Shaun Hatfield

**NEGATIVE**

Louise Halliday  
Donna LeBlanc-Messenger  
Cathy Stoddard

Motion defeated.

Fire Department Insurance

**Moved** by C. Stoddard and seconded by M. Atkinson that a letter be sent to the Fire Services Committee requesting the information be provided to the insurance company and that one of the council members on the Fire Services Committee bring this matter up at the next meeting of the committee.

**Moved** by S. Hatfield and seconded by L. Halliday that the above motion be amended indicating that the information to be provided to the insurance company is the master numbers for each of the fire departments and a copy of the passed resolution which is required by the insurance company for the provision of insurance.

Amendment carried unanimously.

The amended motion now reads as follows:

Resolution C110931

“...that a letter be sent to the Fire Services Committee requesting that the master numbers for each of the fire departments, and a copy of the passed resolution, be forwarded to the insurance company as required for the provision of insurance, and that one of the council members on the Fire Services Committee bring this matter up at the next meeting of the committee.”

Motion carried unanimously.

District of Shelburne Letter Re: MGA

The letter from the District of Shelburne was circulated to members previously which questioned the interpretation and use of the Municipal Government Act by the Minister of Service Nova Scotia as it relates to the Loan Guarantee to the Royal Bank of Canada.

Resolution C110932

**Moved** by D. Messenger and seconded by S. Hatfield that a letter be sent to the Union of Nova Scotia Municipalities supporting and endorsing the letter of the District of Shelburne, and the District of Barrington’s letter also be copied to the other municipal units listed.

Motion carried unanimously.

Litter By-Laws

Resolution C110933

**Moved** by C. Stoddard and seconded by M. Atkinson that a poster contest be conducted by the Municipal Recreation Director for all schools and all students in the Municipality, and that the Recreation Director determine the cost of conducting this contest, and that it take the place of the previously scheduled poster contest.

Motion carried unanimously.

It was noted that the purpose of the poster contest is to obtain posters that may be reproduced as signs to be placed in each district throughout the Municipality.

Crowell's Post Office

It was reported that Crowell's Post Office will be closing as a result of the Crowell's Convenience Store closing their business on Friday, September 23, 2011. Canada Post will be informing post office patrons that they may pick up their mail at the Barrington Passage Post Office in the interim. Canada Post will also be conducting a survey with their patrons to determine where they would prefer to pick up their mail, either by community mailbox or at the Barrington Passage Post Office.

Resolution C110934

**Moved** by D. Messenger and seconded by S. Hatfield that a letter be sent to Canada Post reminding them of the parking situation at the Barrington Passage Post Office which is very busy.

Motion carried unanimously.

Review of Recreation Policies and Rental Agreement

Resolution C110935

**Moved** by D. Messenger and seconded by C. Stoddard that Municipal Staff determine how other municipal units in the area deal with similar situations prior to dealing with this matter further.

Motion carried unanimously.

Chief's Committee

Resolution C110936

**Moved** by L. Halliday and seconded by M. Atkinson that a letter be sent to the Fire Chief's Committee requesting that the semi-annual meeting be held at 8:00 p.m., on October 12, 2011, in the Conference Room, in the Administrative Centre, in Barrington, N.S., and that they provide a list of topics which they wish to discuss at the meeting.

Motion carried unanimously.

Dog By-Law

The recommendation of the Committee of the Whole Council concerning the Dog By-Law was brought forward. The Committee is recommending that Municipal Staff obtain information from the Town of Clark's Harbour and other municipal units regarding the banning of various breeds of dogs.

There was no mover bringing this recommendation forward and therefore no action is required.

Union of Nova Scotia Municipalities

Resolution C110937

**Moved** by D. Messenger and seconded by C. Stoddard that because local councils are being approached repeatedly in regards to cat population problems throughout the Province, and that this is a problem that is not unique to any one municipal unit, but is common to many, that this matter be referred to the Union of Nova Scotia Municipalities seeking solutions which may be available to address this problem.

Motion carried unanimously.

District Planning Commission

Resolution C110938

**Moved** by M. Atkinson and seconded by C. Stoddard that a letter be sent to the District Planning Commission requesting them to call a meeting in order to deal with the staffing issues at the Commission.

Motion carried unanimously.

Continuing Care Steering Committee

Resolution C110939

**Moved** by S. Hatfield and seconded by D. Messenger that with the completion of the Bay Side Home expansion, a thank you letter be sent to all members of the Continuing Care Steering Committee, and that the committee having fulfilled its mandate, be dissolved.

Motion carried unanimously.

River Hills Golf & Country Club

Conflict of Interest

Warden George El-Jakl declared conflict of interest, vacated his seat and proceeded to the spectator area. As mentioned previously, one of the presenters who addressed the Committee of the Whole Council at the September 12, 2011 meeting was Warden El-Jakl's brother.

Deputy Warden Donna LeBlanc-Messenger assumed the chair.

Resolution C110940

**Moved** by C. Stoddard and seconded by L. Halliday that the River Hills Golf & Country Club be requested to make application for funding under the Grants to Organizations Policy which will be considered by Council during 2012 budget preparations.

Motion carried unanimously.

The Warden resumed the chair.

Councillor Cathy Stoddard

Councillor Stoddard gave a brief report on her 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.

Warden George El-Jakl

Warden El-Jakl informed members that Dean E. Gale of EXP Architectural Services has been in contact with him and is requesting an opportunity to meet with Council.

It was agreed that arrangements be made for Mr. Gale to appear before Council.

NEW BUSINESS

Tax Sale Report

The Clerk reported that on Monday, September 12, 2011, a Tax Sale was held in the Court Room, at the Administrative Centre, in Barrington. There were seventeen (17) properties sold in total, nine (9) of which were purchased by private citizens, and the remaining eight (8) were purchased by the Municipality.

Request from Town of Clark's Harbour

The Clerk informed members that a request has been received from the Town of Clark's Harbour requesting the Municipality to cost share in a severance package to one of the former South West Shore Development Authority employees. This matter has been discussed with the Municipal Solicitor and the Municipal Advisor. Both have advised that since the former employee is not a municipal employee they advised against taking part in the cost shared arrangement since there is no authority to do so provided by the Municipal Government Act.

Resolution C110940

**Moved** by S. Hatfield and seconded by M. Atkinson that the Town of Clark's Harbour be advised that as a result of advice from the Municipal Advisor and the Municipal Solicitor, the Municipality is denying the request from the Town to participate in disbursement of funds to a former employee of the South West Shore Development Authority, and express Council's regrets.

Motion carried unanimously.

Community Grant Request

A Community Grant request has been received from the B.M.H.S. Environment Group "Green Team". The Green Team plans to carry out their 8<sup>th</sup> Annual Beach Sweep at Daniel's Head Beach on October 7, 2011. This group is requesting funding to assist with the cost of a bus to transport students to the beach. The total cost of the bus is \$70.00. \$35.00 will be paid by Birds Studies Canada and the Green Team is requesting a grant from the Municipality in the amount of \$35.00.

Resolution C110941

**Moved** by C. Stoddard and seconded by S. Hatfield that the B.M.H.S. Environment Group, Green Team, be granted financial assistance in the amount of \$35.00 to assist with the cost of bus transportation for students to Daniel's Head Beach to carry out their 8<sup>th</sup> Annual Beach Sweep and these funds will be paid from the District 7 Community Grants Fund.

Motion carried unanimously.

Capital Investment Plan

In advance to the meeting each member was provided with a revised Capital Investment Plan as prepared by the Municipal Clerk. The plan contains 20 capital projects to be carried out within the Municipality of Barrington. The top four were as follows:

1. Tennis Court
2. Barrington Passage Sidewalks
3. Seal Island Light Repairs
4. Pave lower portion of McGray Avenue

Resolution C110942

**Moved** by C. Stoddard and seconded by L. Halliday that the 2011/2012 Capital Investment Plan be approved as circulated.

Motion carried unanimously.

NSEF Conference

Information was circulated to members in advance to the meeting. Nova Scotians for Equalization Fairness is holding a conference on equalization, November 4-5, 2011, in Sydney.

Resolution C110943

**Moved** by S. Hatfield and seconded by L. Halliday that NSEF be thanked for the invitation to attend their conference on equalization, but send Council's regrets.

Motion carried unanimously.

Animal By-Law

Councillor Halliday expressed concern regarding a phone call she received concerning a horse running at large in the Doctor's Cove area.

Resolution C110944

**Moved** by L. Halliday and seconded by C. Stoddard that copies of animal by-laws be obtained from other municipal units regarding cattle and horses.

Motion carried unanimously.

Governance Survey

In advance to the meeting each member was provided with information concerning the recently conducted Governance Survey. A powerpoint presentation was made by the Municipal Clerk which outlined Utility and Review Board Guidelines and results of the public survey.

It was reported that a total of 3,525 surveys were distributed. The Municipality received 312 facebook page impressions. Survey drop off locations were set up at Anthony's Food Market, Superstore, Sobey's, Municipal Library, Municipal Office and Clyde River Convenience. The results of the two questions asked were as follows:

1. Are you in favour of reducing the number of councillors from 7 to 5?  
Yes: 397 No: 98
  
2. Are you in favour of a mayor or warden?  
Mayor: 249 Warden: 201

Many suggestions and comments were provided. A summary of the surveys collected from each drop off location was provided along with photocopies of some of the surveys.

It was agreed that in order to give councillors an opportunity to review the information provided that the matter be placed on the agenda for the next two Committee of the Whole Council meetings.

CLOSED SESSION OF COUNCIL

At this time another Closed Session of Council was held to deal with personnel matters.

REPORT ON CLOSED SESSION

Personnel evaluations were reviewed in Closed Session.

It was the consensus of members to accept recommendations of the Arena Manager as it relates to Canteen Attendants Pam Goulden, Shelley Stoddard and Melanie Goodwin.

Resolution C110945

**Moved** by S. Hatfield and seconded by C. Stoddard that Pam Goulden, Canteen Attendant, be granted her yearly increment, effective September 25, 2011

Motion carried unanimously.

Resolution C110946

**Moved** by S. Hatfield and seconded by L. Halliday that Melanie Goodwin, Canteen Attendant, be granted her yearly increment, effective October 4, 2011.

Motion carried unanimously.

ADJOURNMENT

**Moved** by C. Stoddard that the meeting adjourn.

The meeting was adjourned at 9:05 p.m.

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\_\_\_\_\_ Warden \_\_\_\_\_ Clerk

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Secretary for the Meeting

**On website September 28, 2011.**