

Minutes of the 133rd Annual Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, June 25, 2012.

The meeting was called to order by the Warden at 6:45 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 (6:47 p.m.)
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard

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

CLOSED SESSION OF COUNCIL

A Closed Session of Council was held to deal with a personnel matter.

At 7:00 p.m. the Regular Council Meeting was called back to order.

REPORT ON CLOSED SESSION

During the Closed Session members received the performance evaluation for Michael Swim, Property Services Technician.

DECLARATION OF CONFLICT OF INTEREST

Councillor Louise Halliday informed members that she would be declaring conflict of interest when dealing with the 2012/2013 Municipal Budget since she declared conflict of interest when Council previously dealt with the 2012/2013 EMO Budget which forms part of the Municipal Budget.

APPROVAL OF MINUTES

Moved by C. O'Donnell and seconded by C. Stoddard that the minutes of the last regular meeting of Council held June 11, 2012 be approved as circulated.

Motion carried unanimously.

Moved by C. Stoddard and seconded by M. Atkinson that minutes of the Special Meeting of Council held June 14, 2012 be approved as circulated.

Motion carried unanimously.

ADDITION TO THE AGENDA

The Clerk requested and it was agreed by members that the following item be added to the agenda:

- Final List of Electors.

DRAFT AUDITED FINANCIAL STATEMENTS

Mr. Doug Drane, of Redding CA, appeared before the meeting and presented Draft Audited Financial Statements for the Municipality for the year ending March 31, 2012.

Mr. Drane advised that during the fiscal year ending March 31, 2012 the Municipality realized a surplus of \$6,297.00.

Mr. Drane informed members that once the Draft Financial Statements have been approved, the Audited Financial Statements will then be issued.

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

Resolution C120616

Moved by D. Messenger and seconded by C. O'Donnell that the Draft Financial Statements be accepted as presented.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Joint Committee Re: Energy Concerns

In advance to the meeting each member was provided with a copy of a letter received from the Municipality of Yarmouth advising that the Regional Economic Development Council will be requested to deal with the possible formation of a Joint Committee to address energy concerns as one of their first initiatives.

CORRESPONDENCE

Thank You Letter

A thank you letter was received from the Cape Sable Historical Society thanking Deputy Warden Donna LeBlanc-Messenger for presenting certificates of municipal recognition to their members on June 4, 2012.

Playground Grant

In advance to the meeting each member was provided with a copy of a letter received from the Minister of Health and Wellness advising that a grant in the amount of \$10,000 has been approved for the Municipality of Barrington and the Barrington Ball Field Playground Society.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

Deputy Warden Donna LeBlanc-Messenger

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

She informed members that she has been in discussion with tenants of the Court Yard, and there appears to be a lot of confusion regarding the Boil Water Order and the situation concerning the Municipal well.

Discussion took place regarding the wording of the letter that was circulated to tenants on May 29, 2012.

Moved by D. Messenger and seconded by C. Stoddard that Resolution No. C120530 regarding the Municipal well being disconnected from the former BMHS property on June 29, 2012 be rescinded, and the matter be referred back to the Committee of the Whole Council for further discussion.

AFFIRMATIVE

Donna LeBlanc-Messenger

NEGATIVE

Murray Atkinson
George El-Jakl
Louise Halliday
Shaun Hatfield
Cecil O'Donnell
Cathy Stoddard

Motion defeated.

During discussion it was noted that the water is scheduled to be disconnected on June 29, 2012 at 9:00 a.m. Local fire departments have been advised that water will be disconnected from the facility and contact has also been made with a sprinkler system consultant who has advised that the system will be served as long as the 6,000 gallon holding tanks are full.

Resolution C120617

Moved by D. Messenger and seconded by C. Stoddard that another letter be forwarded to tenants of the former BMHS property restating the Municipality's position, and confirming that the water will be disconnected from the facility at 9:00 a.m. on June 29, 2012, and that the letter state that the owner/landlord is responsible to provide potable water to tenants, and that the Solicitor be asked to draft the letter.

Motion carried unanimously.

Deputy Warden Messenger then reported on recommendations from the Committee of the Whole Council.

Solicitor at Meetings

Resolution C120618

Moved by D. Messenger and seconded by L. Halliday that the Municipality contact the Town of Yarmouth and the Municipality of Argyle to determine the usefulness of having solicitors present at meetings, and how they are paid for this service.

Motion carried unanimously.

Introduction of New Employees

Resolution C120619

Moved by C. Stoddard and seconded by C. O'Donnell that more information be provided regarding a proposed luncheon meeting for councillors, with municipal employees, during Municipal Awareness Week.

Motion carried unanimously.

ERMES Grant Request

Resolution c120620

Moved by C. O'Donnell and seconded by S. Hatfield that the Municipality match funds raised by the Evelyn Richardson Memorial Elementary School for the purpose of playground funding in the amount of \$2,500.00.

Motion carried unanimously.

Do For Others Grant Request

Resolution C120621

Moved by D. Messenger and seconded by C. O'Donnell that a \$500.00 grant be provided to the Do For Others Club in Wood's Harbour for the purpose of upkeep and mowing of Greenwood Cemetery.

Motion carried unanimously.

Provincial Boundary Review

Resolution C120622

Moved by M. Atkinson and seconded by D. Messenger that the Municipality of Argyle be informed that Barrington Municipal Council will wait until the Boundary Review Commission has provided its final proposal in order to make any comments.

Motion carried unanimously.

Oil Tank Insurance

Resolution C120623

Moved by C. O'Donnell and seconded by C. Stoddard that the Municipality obtain additional insurance coverage for all eight (8) fuel storage tanks on municipal property.

Motion carried unanimously.

Portable Toilets

Resolution C120624

Moved by M. Atkinson and seconded by S. Hatfield that one additional portable toilet be placed near, or next to, the Queen of Hearts Dory Club building for the use of the public during the summer months.

Motion carried unanimously.

Miss Teen Nova Scotia - World 2012

Resolution C120625

Moved by C. Stoddard and seconded by S. Hatfield that a grant of \$400.00 be provided to the *Free the Children* charity on behalf of Kelley Penney, and that municipal pins be provided to her for circulation at the event she will be attending in Toronto.

Motion carried unanimously.

Resolution C120626

Moved by C. Stoddard and seconded by C. O'Donnell that a letter of congratulations be sent to Kelley Penney on her accomplishment being crowned Miss Teen Nova Scotia - World 2012.

Motion carried unanimously.

Transfer to Reserves

Resolution C120627

Moved by D. Messenger and seconded by C. O'Donnell that the Municipality transfer \$185,000 from the General Operating Reserve Fund to the Special Reserve Fund Operating for future use of the Municipality, and that the Municipality transfer \$45,000 from the General Operating Fund to the Special Reserve Fund Capital for future Fire Services use.

Motion carried unanimously.

North East Point Beach Access

Resolution C120628

Moved by S. Hatfield and seconded by M. Atkinson that the Municipality enter into a new Letter of Authority with Nova Scotia Natural Resources for the purpose of constructing a beach access opportunity at the North East Point Beach.

Motion carried unanimously.

White Lines

Resolution C120629

Moved by C. Stoddard and seconded by D. Messenger that the Municipal Clerk call the Department of Transportation to have the white crosswalk lines painted at the intersection of Highway #3 and Highway #330, Barrington Passage.

Motion carried unanimously.

The Clerk informed members that the Department of Transportation were in the area today and the crosswalk lines have been painted.

Closed Session Re: Bay Side Home Personnel Issue

Moved by L. Halliday and seconded by M. Atkinson that the Municipality send a letter responding to the employee from Bay Side Home explaining that Council does not participate in the operations of Bay Side Home. The only function of Municipal Council is to appoint members to the Board of Directors, and the Board of Directors is responsible for the governance of that corporation.

Moved by L. Halliday and seconded by D. Messenger that the above motion be amended by inserting the word "former" before the word "employee".

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C120630

"...that the Municipality send a letter responding to the former employee from Bay Side Home explaining that Council does not participate in the operations of Bay Side Home. The only function of Municipal Council is to appoint members to the Board of Directors, and the Board of Directors is responsible for the governance of that corporation. "

Motion carried unanimously.

Councillor Louise Halliday

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

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.

Councillor Cecil O'Donnell

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

Councillor Shaun Hatfield

Councillor Hatfield 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 May.

NEW BUSINESS

Estimate of Revenues and Expenditures for 2012/13

Conflict of Interest

Councillor Louise Halliday declared conflict of interest, vacated her seat, and proceeded to the spectator area. Councillor Halliday's husband's business is a local supplier of generators, and therefore Councillor Halliday felt that she should declare conflict of interest since the Municipal Budget contains funding for the Joint Emergency Measures Organization which could be used for the purchase of generators.

The Municipal Clerk made a power point presentation providing an overview of the budget.

Resolution Setting Tax Rates, Due Dates and Interest for 2012/13

Resolution C120631

Moved C. Stoddard and seconded by M. Atkinson that:

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 2012/2013 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 Five Million Fifty-Six Thousand Seven Hundred Twenty-Three Dollars (\$5,056,723.00);

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 Sixty-Three Cents (\$2.63) per One Hundred Dollars (\$100.00) on the assessed value of the commercial property including business occupancy, and One Dollar and Six Cents (\$1.06) 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 include area rates, service charges or special assessments.;

FURTHER BE IT RESOLVED that the total rates and taxes for the year 2012/2013 shall become due and payable as specified in Policy #56 "Interim Tax Billing Policy" 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 total current rates, area rates and special assessments not paid before due dates specified in Policy #56 "Interim Tax Billing Policy".

Setting of Fire Rates for 2012/13

Resolution C120632

Moved by M. Atkinson and seconded by C. Stoddard that the following area rates be set for 2012/2013 fiscal year:

- | | |
|--|--------------------------------|
| - Wood's Harbour/Shag Harbour Volunteer Fire Dept. | \$0.12/\$100.00 of assessment |
| - Barrington Volunteer Fire Department | \$0.05/\$100.00 of assessment |
| - Port LaTour Volunteer Fire Department | \$0.059/\$100.00 of assessment |
| - Island & Barrington Passage Volunteer Fire Dept. | \$0.081/\$100.00 of assessment |
| - Port Clyde Volunteer Fire Department | \$0.05/\$100.00 of assessment |

Motion carried unanimously.

Establish Sewer Service Charges for 2012/13

Resolution C120633

Moved by C. O'Donnell and seconded by M. Atkinson that the sewer service charge of \$285.00 per unit for the Barrington/Barrington Passage Sewer system remain unchanged for the 2012/13 fiscal year, and that the sewer service charge of \$300.00 per unit for the Wood's Harbour Sewer System remain unchanged for the 2012/13 fiscal year.

Motion carried unanimously.

Farm Acreage Tax

Resolution C120634

Moved by C. Stoddard and seconded by D. Messenger that the Farm Acreage Tax for the year 2012/13 fiscal year be \$2.83 per acre for all land that is assessed as exempt farm land.

Motion carried unanimously.

Temporary Borrowing Resolution

Resolution C120635

Moved by D. Messenger and seconded by C. O'Donnell that:

WHEREAS the combined total of the taxes levied by the Municipality and the amounts in lieu of municipal rates received or to be received by the Municipality from Her Majesty in Right of Canada, or in Right of the Province of Nova Scotia, or from an agency of Her Majesty, from the previous year ended the 31st day of March, 2012, was \$5,761,764.00.

And the aggregate amount of the taxes to be levied for the current year will exceed \$5,056,723.00.

And it may be necessary to borrow the sum of \$1,500,000 from Canadian Imperial Bank of Commerce to defray the current expenditure of the Municipality which was authorized by Council on the 25th Day of June 2012, 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 Clerk-Treasurer of the said Corporation be and they are hereby authorized under the Seal of the said Corporation, to borrow from Canadian Imperial Bank of Commerce the sum of \$1,500,000 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 Clerk-Treasurer aforesaid, be, and they are hereby authorized to pay or allow to the said Bank, interest on the said sum of \$1,500,000 at the Bank Prime interest rate prevailing from time to time, which may be paid or allowed in advance 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 Clerk-Treasurer of the said Corporation, be given from time to time as required, in security of the amounts borrowed from time to time under the provisions of the Resolution.

4th That the said sum of \$1,500,000 so to be borrowed shall be payable on or before the 31st day of March next, and the Promissory Note or Notes of the said Corporation given therefore, which shall be signed by the Warden and the Clerk-Treasurer and be under the Seal of the Corporation, and if made payable before the said 31st day of March 2013, may be renewed by the said Warden and Clerk-Treasurer from time to time, but no renewal thereof shall fall due later than the said 31st day of March 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.

Motion carried unanimously.

Councillor Louise Halliday returned to her seat.

Public Information Session Re: Swaine's Road Bog

A brief discussion took place regarding the Public Information Session held on June 12, 2012 regarding Swaine's Road Bog. At that meeting the Nature Conservancy of Canada expressed their interest and vision for the protection of an important species at risk habitat in the Swaine's Road Bog. At the meeting two main concerns were expressed; conservation of the thread-leafed sundew, and the possibility of future development on the site.

The Clerk informed members that correspondence has been received from Mr. Craig Smith requesting that they be given an opportunity to collect information and meet once again with Council in the fall to discuss, in detail, the potential options for the site.

Resolution C120636

Moved by S. Hatfield and seconded by C. Stoddard that Craig Smith, Nature Conservancy of Canada, be contacted at the end of September to obtain a copy of the information collected by the Nature Conservancy and continue dialogue regarding Swaine's Road Bog.

Motion carried unanimously.

Tenders - Surplus Property

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting tenders on six (6) parcels of surplus land. Only two tenders were received which were given to the Warden for opening. The Warden reported the following:

- Tender from Norman Nickerson in the amount of \$1,000.00 for property located at 6680 Highway #3, Lower Wood's Harbour, Assessment Account #00023531.

Resolution C120637

Moved by M. Atkinson and seconded by C. O'Donnell that the tender received from Norman Nickerson in the amount of \$1,000.00, for the purchase of property located in Wood's Harbour, Assessment Account #00023531, be accepted.

Motion carried unanimously.

The Warden then opened the other tender received.

The tender was from Graham Dixon in the amount of \$12,126.00 for the purchase of land/warehouse located at 6338, Highway #3, Lower Wood's Harbour, Assessment Account #00731536.

Much discussion took place regarding this tender. It was noted that the property is assessed for \$225,800.00.

Resolution C120638

Moved by S. Hatfield and seconded by M. Atkinson that the tender received from Graham Dixon for purchase of property located at 6338, Highway #3, Lower Wood's Harbour, Assessment Account #00731536, be denied.

Motion carried unanimously.

Resolution C120639

Moved by L. Halliday and seconded by M. Atkinson that sale of surplus municipal property be referred to the Committee of the Whole for further discussion, and that the Municipal Clerk make contact with the Municipal Solicitor regarding how a real estate company would be selected should Council wish to pursue this avenue.

Motion carried unanimously.

LIST OF ELECTORS

The Clerk informed members that Cathy Clark, Returning Officer for the Municipality, is requesting that a date for completion of the Final List of Electors be Friday, August 31, 2012.

Resolution C120640

Moved by S. Hatfield and seconded by C. Stoddard that the date for the completion of the Final List of Electors be August 31, 2012, as recommended by the Returning Officer.

Motion carried unanimously.

ADJOURNMENT

Moved by M. Atkinson that the meeting adjourn.

The meeting was adjourned at 9:15 p.m.

Warden

Clerk

Secretary for the Meeting

On website June 28, 2012.