

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, January 28, 2013.

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 Eddie Nickerson
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Jody Crook
- Councillor George El-Jakl
- Councillor Shaun Hatfield

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

CLOSED SESSION

A Closed Session of Council was held at this time to deal with personnel matters.

REPORT ON CLOSED SESSION

Employee Evaluations

Employee evaluations for Shelly Blinkhorn, Arena Manager; Samantha Reyno, Physical Activity Coordinator and Melanie Goodwin, Canteen Attendant, were presented to members.

Resolution C130122

Moved by D. Messenger and seconded by G. El-Jakl that Shelly Blinkhorn, Arena Manager, receive her yearly increment effective January 13, 2013.

Motion carried unanimously.

Moved by G. El-Jakl and seconded by J. Crook that Samantha Reyno, Physical Activity Coordinator, continue to be employed by the Municipality for a further one year term, and that her salary be adjusted by the Consumer Price Index, effective January 16, 2013.

Moved by S. Hatfield and seconded by J. Crook that the above motion be amended indicating that continued employment with the Municipality is subject to funding being available from other sources.

Motion carried unanimously.

The amended motion reads as follows:

Resolution C130123

"...that Samantha Reyno, Physical Activity Coordinator, continue to be employed by the Municipality for a further one year term, that continued employment with the Municipality is subject to funding being available from other sources, and that her salary be adjusted by the Consumer Price Index, effective January 16, 2013."

Motion carried unanimously.

Resolution C130124

Moved by G. El-Jakl and seconded by S. Hatfield that Melanie Goodwin, Canteen Attendant, be granted her increment, effective December 4, 2012.

Motion carried unanimously.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor George El-Jakl informed members that he would be declaring conflict of interest during the discussion of the Chamber of Commerce Report on Property Taxation. Councillor El-Jakl is a Director of the Barrington & Area Chamber of Commerce.

APPROVAL OF MINUTES

Moved by G. El-Jakl and seconded by J. Crook that minutes of the Regular Council Meeting held January 14, 2013 and minutes of the Special Council Meeting held January 16, 2013 be approved as circulated.

Motion carried unanimously.

DANGEROUS AND UNSIGHTLY PREMISES - CRIPPLE CREEK FISHERIES/T. WAYBRET FISHERIES LIMITED

Troy Waybret, Director for Cripple Creek Fisheries Limited and T. Waybret Fisheries Limited, appeared before the meeting.

The Municipal Clerk provided pictures and gave a brief report on the dangerous and unsightly condition of properties owned by Cripple Creek Fisheries Limited and T. Waybret Fisheries Ltd. located at Cripple Creek, Clam Point.

The Clerk informed members that on November 16, 2011 a building assessed to Cripple Creek Fisheries Limited was destroyed by fire. Debris from this building still remains on the property. Another building which was of concern is the building located to the west of the building which was destroyed by fire. This building has now been secured to prevent entry. There is also a boat which has been destroyed by fire. The boat was identified as being on property of Cripple Creek Fisheries Limited, but after further investigation it was determined that a small portion of the boat is actually on the adjoining property.

Staff is requesting Council to issue an Order requiring owners to address the dangerous and unsightly condition of their properties within thirty (30) days. Failure to do so would result in the Municipality having the properties cleaned up and the cost would be charged to the property owner.

Mr. Waybret was given an opportunity to address Council. He informed members that he would not be dealing with the boat since he is not the owner, and the owner has instructed him to leave the boat alone. As seen in the pictures, Mr. Waybret indicated that he has been attempting to secure the buildings in the area with plywood. Arrangements have been made with R & T Excavating to secure the burnt building by cleaning up the front yard and blocking entry to the building. He informed members that he has been in discussion with Small Crafts and Harbours and they are interested in purchasing the property for a parking lot. The negotiated price included cleanup of the burnt building. Mr. Waybret informed members that the Federal Government has informed him that they would be taking ownership of the property within three months. There was some question as to exactly when the Federal Government would take ownership since the Municipality was informed that it could possibly take up until the end of August 2013.

Resolution C130125

Moved by S. Hatfield and seconded by D. Messenger that Cripple Creek Fisheries Limited and T. Waybret Fisheries Limited be instructed to address the dangerous and unsightly condition of their property located at Cripple Creek, Clam Point, by cleaning up the debris outside the front of the burnt building and blocking the entry to the building, not later than February 28, 2013, and that Small Craft Harbours be required to clean up the property upon purchasing it and that clean-up be finished not later than September 1, 2013.

Motion carried unanimously.

The matter concerning the burnt boat was once again discussed.

Resolution C130126

Moved by G. El-Jakl and seconded by J. Crook that the Municipal Solicitor be contacted to obtain advice on how to deal with the removal of the burnt boat.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

Department of Transportation Matters

Sharp Turn in Bear Point

Correspondence has been received from Mr. Jason MacIntosh, Operations Supervisor, of the Department of Transportation, advising that a meeting had been scheduled with Councillor George El-Jakl to view the sharp turn in Bear Point. Councillor El-Jakl informed members that this meeting was postponed.

Turn on Stoney Island Road

Correspondence has been received from Jason MacIntosh, Operations Supervisor, of the Department of Transportation, advising that they will have a look at the intersection of Stoney Island Road and Sable Sands Lane in the next couple of months to determine if it meets their criteria for widening.

Traffic Light - Barrington Passage

Correspondence has been received from Jason MacIntosh, Operations Supervisor, of the Department of Transportation, advising that they have been out at the intersection of Highway 330 and Highway 3 on several occasions in the last two weeks to determine if the green light was allowing traffic enough time to exit the Causeway and to turn left on to Highway 3. He advised in his letter that it appears as though the lights are working OK.

It was noted that residents still feel there is a problem with the traffic lights.

Resolution C130127

Moved by G. El-Jakl and seconded by J. Crook that Mr. Jason MacIntosh, Operations Supervisor, of the Department of Transportation, be invited to attend a Committee of the Whole Council meeting to discuss Department of Transportation issues with him.

Motion carried unanimously.

Riverhead Road Intersection

Correspondence has been received from Jason MacIntosh, Operations Supervisor of the Department of Transportation, advising that a crew will be sent out to the Riverhead Road intersection area within the next couple of weeks to carry out some brush cutting and improve the site visibility in the area.

McGill's Road

Correspondence has been received from Jason MacIntosh, Operations Supervisor of the Department of Transportation, regarding the condition of McGill's Road. Mr. MacIntosh advised that they do not currently have the resources available to address the repairs that are being requested on McGill's Road. He advised that he will determine what course of action is needed on McGill's Road, and if repairs are needed, it will be added to the list of roads that are in need of repairs.

It was agreed that all Department of Transportation matters be discussed with Mr. MacIntosh when he meets with the Committee of the Whole Council.

Crow's Neck Beach Access

Correspondence has been received from Mr. Gerald Keddy advising of the response he received from the Minister of Natural Resources regarding public access to Crow's Neck Beach. The Minister of Natural Resources has advised that as part of the "Parks and Protected Areas Plan", the public will be afforded an opportunity to provide input. The public's input and that of Council will certainly be of benefit.

Warden's Discussion with MLA Re: Physician Recruitment

The Warden informed members that he and Deputy Warden Messenger discussed proposed amendments to Bill 54 "District of Barrington Health Professionals Assistance Act" with MLA Sterling Belliveau.

It is proposed that the District of Barrington Health Professionals Assistance Act be amended as follows:

Add to definition (c) "Health professional" means:

- (iv) *A student who is enrolled in a health professional program at a public or private college or university, inside or outside Canada, provided that such program is recognized by the appropriate licensing authority which governs medicine, dentistry, or other health care profession in the Province of Nova Scotia in which the student is enrolled.*

Resolution C130128

Moved by S. Hatfield and seconded by D. Messenger that the proposed amendment to Bill 54 "District of Barrington Health Professionals Assistance Act" be provided to MLA Sterling Belliveau for consideration by the Province.

Motion carried unanimously.

CORRESPONDENCE

WMTA - Trail Bridge Evaluation - Downey's Brook

The Clerk informed members that the Woodland Multi Use Trail Association is requesting the Municipality to apply to the Department of Natural Resources for funding to cover the cost of evaluating the trail bridge located at Downey's Brook.

Resolution C130129

Moved by G. El-Jakl and seconded by D. Messenger that the Department of Natural Resources be requested to provide a grant of \$3,000 to cover the cost of the evaluation of the trail bridge located at Downey's Brook.

Motion carried unanimously.

REPORT OF WARDEN

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

COUNCILLOR'S REPORTS

Councillor Jody Crook reported on recommendations of the Committee of the Whole Council

Strategic Planning Meeting

Resolution C130130

Moved by D. Messenger and seconded by G. El-Jakl that the Committee of the Whole meet quarterly in different districts of the Municipality, or as necessary, in order to provide local residents an opportunity to have direct input to committee members.

Motion carried unanimously.

It was agreed that meetings would start in the Port LaTour area, and the first meeting would be held in March or April.

Resolution C130131

Moved by G. El-Jakl and seconded by J. Crook that the Fire Services Coordinator be requested to draft a Training Standards Policy for firefighters within the Municipality for the consideration of Council. If these standards already exist, they are to be put in place. If they do not, they are to be developed in consultation with the Fire Services Committee.

Motion carried unanimously.

Proposed Civic Addressing Motion

It is proposed that the following resolution be forwarded to the UNSM for consideration:

WHEREAS the Province of Nova Scotia has established and maintains the Nova Scotia Civic Address File as the official civic address database for the Province of Nova Scotia; and

WHEREAS the Nova Scotia Civic Address File is the source for the 911 based addressing for emergency response in Nova Scotia; and

WHEREAS the utility of the Civic Addressing File is significantly limited in the instance of emergency unless civic addresses are clearly posted; and

WHEREAS risk to the safety of Nova Scotians may be caused by absence or inaccuracy of civic addressing;

THEREFORE BE IT RESOLVED that the Minister of Service Nova Scotia and Municipal Relations develop and enforce legislation and regulations requiring consistent, visible posting of civic addressing signs on all public and private properties in Nova Scotia.

Resolution C130132

Moved by S. Hatfield and seconded by D. Messenger that the draft civic addressing motion be submitted to the UNSM for consideration at their convention in the fall of 2013.

Motion carried unanimously.

Meeting with Liberal Caucus

Resolution C130133

Moved by G. El-Jakl and seconded by J. Crook that the Liberal Caucus be contacted and determine a meeting date, in Halifax, and that those councillors wishing to attend this meeting have their expenses paid. It was suggested that the meeting be held in either late February or early March, and that physician recruitment and the Liberal Party's policy in regards to Nova Scotia Powers' restraint on rate increases be discussed at the meeting.

Motion carried unanimously.

Future of Joint Services

Moved by D. Messenger and seconded by G. El-Jakl that correspondence be sent to the other municipal units in Shelburne County asking them to indicate what is their vision for sharing of these services in the future, and do they have any interest in continuing with the current service provision method.

Moved by J. Crook and seconded by S. Hatfield that the above motion be amended to identify the services as tourism and senior services.

Motion carried unanimously.

The amended motion now reads:

Resolution C130134

"...that correspondence be sent to the other municipal units in Shelburne County asking them to indicate what is their vision for sharing the services of tourism and senior services in the future, and do they have any interest in continuing with the current service provision method."

Motion carried unanimously.

Conflict of Interest

Councillor George El-Jakl declared conflict of interest, vacated his seat and left the meeting. Councillor El-Jakl is a Director of the Barrington & Area Chamber of Commerce.

Tax Reform - Nova Scotia Chamber of Commerce

Resolution C130135

Moved by J. Crook and seconded by D. Messenger that a letter be sent to the Union of Nova Scotia Municipalities requesting them to analyse the Chamber of Commerce proposal and provide the appropriate response to municipalities.

Motion carried unanimously.

Councillor El-Jakl returned to the meeting.

Spruce Drive Petition

Resolution C130136

Moved by S. Hatfield and seconded by D. Messenger that the paving of the provincial portion of Spruce Drive be forwarded to the Nova Scotia Department of Transportation requesting funding under the 50/50 cost sharing program.

Motion carried unanimously.

Councillor Hatfield informed members that he has received favorable comments from residents regarding the ditching job recently carried out on the municipal portion of Spruce Drive. He suggested that the Department of Transportation now be requested to carry out ditching along their portion of the road.

Resolution C130137

Moved by S. Hatfield and seconded by J. Crook that the Department of Transportation be requested to carry out required ditching along their portion of Spruce Drive.

Motion carried unanimously.

Resolution C130138

Moved by S. Hatfield and seconded by D. Messenger that if the Province agrees to provide funding for the paving of the provincial portion of Spruce Drive, then Council consider discussing the possibility of paving the remainder of Spruce Drive and Nicholas Drive with residents of the area.

Motion carried unanimously.

Health Benefits for Councillors

Conflict of Interest

Councillor El-Jakl declared conflict of interest, vacated his seat and left the meeting. Councillor El-Jakl is a Director of the Barrington & Area Chamber of Commerce.

Resolution C130139

Moved by J. Crook and seconded by S. Hatfield that municipal employees obtain information on the insurance coverage provided by the local Chamber of Commerce for consideration of members.

Motion carried unanimously.

Councillor El-Jakl returned to the meeting.

Council Office

Resolution C130140

Moved by G. El-Jakl and seconded by J. Crook that the Warden and Clerk meet with Mr. Bob Jenkins regarding office space in the municipal building.

Motion carried unanimously.

Community Litter Clean-up

Moved by J. Crook and seconded by G. El-Jakl that \$10,000 be included in the budget for the coming fiscal year for the Community Litter Clean-up Program, and that the local Tim Horton's operator and the local McDonald's Restaurant operator be requested to provide a contribution to the program.

Conflict of Interest

Councillor George El-Jakl declared conflict of interest, vacated his seat and left the meeting. Councillor El-Jakl is a business owner in the Wood's Harbour area.

Moved by S. Hatfield and seconded by J. Crook that the above motion be amended to include other businesses who sell fast food or take-out such as Sobey's, Dan's Ice-Cream Shop, etc.

Motion carried unanimously.

The amended motion now reads:

Resolution C130141

"...that \$10,000 be included in the budget for the coming fiscal year for the Community Litter Clean-up Program, and that the local Tim Horton's operator, the local McDonald's Restaurant operator and other businesses who sell fast food, or take-out such as Sobey's, Dan's Ice-Cream Shop, etc. be requested to provide a contribution to the program."

Motion carried unanimously.

It was agreed by members that businesses contributing towards the Community Litter Clean-up Program be recognized in the Municipal newsletter or on the Municipal website.

Councillor George El-Jakl returned to the meeting.

REPORT OF CLERK-TREASURER

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

NEW BUSINESS

Notice of Consideration - Amendment to Policy 8 "Annual Remuneration and Expenses for Councillors, Staff and Others"

In advance to the meeting each member was provided with a copy of proposed amendments to Policy No. 8 "Annual Remuneration and Expenses for Councillors, Staff and Others".

Proposed amendments will be considered at a subsequent Council meeting.

Notice of Consideration - Amendments to Policy 6 "Use of Municipal Facilities"

In advance to the meeting each member was provided with a copy of proposed amendments to Policy No. 6 "Policy Governing Use of Municipal Facilities".

Proposed amendments will be considered at a subsequent meeting of Council.

Notice of Consideration - Amendments to Policy No. 7 "Recreation Department Operating Policy"

In advance to the meeting each member was provided with proposed amendments to Policy No. 7 "Recreation Department Operating Policy".

Amendments will be considered at a subsequent meeting of Council.

Notice of Consideration - Amendments to Policy 39 "Hiring Policy"

In advance to the meeting each member was provided with proposed amendments to Policy No. 39 "Hiring Policy".

Amendments will be considered at a subsequent Council meeting.

Notice of Consideration - Amendments to Policy 59 "Committees of Council"

In advance to the meeting each member was provided with draft amendments to Policy No. 59 "Committees of Council".

Proposed amendments will be considered at a subsequent Council meeting.

Notice of Consideration - Amendments to Policy 62 "Barrington Municipal Arena"

In advance to the meeting each member was provided with proposed amendments to Policy No. 62 "Barrington Municipal Arena".

Proposed amendments will be considered at a subsequent meeting of Council.

Consideration of Amendments - Policy 41 "Low Income Property Tax Exemption"

Notice of consideration of amendments to Policy No. 41 "Low Income Property Tax Exemption Policy" was given at the January 16, 2013 Special Council Meeting. It is proposed that the policy be amended to raise the threshold amount for the property tax exemption to \$21,500.00 and set the amount of the exemption at \$150.00.

Resolution C130142

Moved by G. El-Jakl and seconded by S. Hatfield that proposed amendments to Policy 41 "Low Income Property Tax Exemption" to increase the threshold amount for the property tax exemption to \$21,500.00, and set the amount of the exemption at \$150.00 be approved as presented.

Motion carried unanimously.

First Reading - Proposed Amendments to By-law 25 "Tax Exemption"

In advance to the meeting each member was provided with proposed amendments to the Tax Exemption By-Law that would remove properties that should no longer be on schedules contained in the by-law. The by-law will further be amended by adding the Shag Harbour Incident Society which is a local non profit historical society that operates the UFO Museum. The Society has requested the exemption and qualifies under the by-law.

Resolution C130143

Moved by S. Hatfield and seconded by J. Crook that proposed amendments to By-Law No. 25 "Tax Exemption By-Law" be approved in first reading.

Motion carried unanimously.

First Reading - New By-Law 9 "Noise"

In advance to the meeting each member was provided with a proposed new Noise By-Law which if approved will replace the existing By-Law No. 9 "Peace, Order, Mischiefs and Nuisances".

Resolution C130144

Moved by J. Crook and seconded by D. Messenger that the new proposed By-Law No. 9 "Noise" be approved in first reading.

Motion carried unanimously.

BARRINGTON BAY TRAIL

In advance to the meeting each member was provided with a copy of an email received from Sandy Clark expressing concern regarding the ATV use on the Barrington Bay Trail.

During discussion of this matter it was stated that there were no signs posted along the trail prohibiting ATV use.

The Clerk informed members that signs had previously been posted on the Barrington Bay Trail, and signage will be checked tomorrow morning.

During discussion of this matter the responsibility of the RCMP was also questioned. The Clerk informed members that the responsibility of the RCMP is the same as it is for ATVs using the highway and offenders are ticketed.

Future use of the Barrington Bay Trail will be discussed at a later meeting.

ADJOURNMENT

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

The meeting was adjourned at 9:40 p.m.

Warden

Clerk

Secretary for the Meeting

On website January 30, 2013.