

Minutes of the 135<sup>th</sup> Annual Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, June 23, 2014. 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 Lindsay (Eddie) Nickerson
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Jody Crook
- Councillor George El-Jakl
- Councillor Shaun Hatfield
  
- Brian Holland, Municipal Clerk

### DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

### APPROVAL OF MINUTES

**Moved** by S. Hatfield and seconded by J. Crook that minutes of the Regular Council Meeting held May 26, 2014 and the Special Council Meeting held June 9, 2014 be approved as circulated.

Motion carried unanimously.

### CLOSED SESSION

Members entered into Closed Session for the purpose of considering personnel matters and the purchase of property by the Municipality pursuant to Sections 22(a) and (c) of the Municipal Government Act.

### REPORT ON CLOSED SESSION

#### Purchase of James Stewart Property

#### Resolution C140602

**Moved** by J. Crook and seconded by D. Messenger that property adjacent to the Cape Sable Island Causeway be purchased from James Stewart, in the amount of \$8,000.00, plus the cost of the surveying of property, by the Municipality.

Motion carried unanimously.

Resolution C140603

**Moved** by S. Hatfield and seconded by J. Crook that an advance of funds be provided to Dr. Noel Baker for the purchase of an electronic medical record system. Dr. Baker will be practicing family medicine in the Municipality on a permanent basis beginning in August of 2014.

Motion carried unanimously.

AUDITED FINANCIAL STATEMENTS

Mr. Doug Drane appeared before Council for the purpose of presenting the Audited Financial Statements. These statements are prepared by Redding CA who are the Municipality's auditors.

Mr. Drane then reviewed the Draft Financial Statements, in detail, for the information of councillors. Mr. Drane also provided a letter detailing the information contained in the Financial Statements, and a letter breaking down the variances in the statements compared to the budget for the previous year.

Mr. Drane also reviewed internal controls and highlighted any issues which needed to be addressed. In general, he indicated that internal controls were adequate for audit purposes and that an unqualified statement would be provided once further information is obtained from municipal solicitors.

Resolution C140604

**Moved** by D. Messenger and seconded by S. Hatfield that the Municipality accept and approve the Draft Audited Financial Statements submitted by the municipal auditors.

Motion carried unanimously.

It was noted that these Financial Statements show a non-consolidated operating fund surplus of \$14,232.00 for the 2013/2014 fiscal year.

PUBLIC HEARING RE: VARIANCE REQUEST BY RANDAL SMITH

Mr. Smith has requested a side yard variance reducing the side yard from 10 feet to 3 feet so that he can construct a building up to 3 feet within the boundary line of his property. The Municipal Government Act does not allow the Municipal Development Officer to approve this variance and therefore our Development Officer has refused a variance and Mr. Smith has appealed to Council. Under the appeal provisions of the MGA all assessed owners with property located within 30 meters of the variance sought are required to be notified. All of the property owners within 30 meters have been notified. Two of the property owners appeared at the Municipal Office inquiring why they were being notified, and what was involved in the variance. Neither of these property owners objected to the variance being requested. The Municipality's Development Officer, Mr. David Andrews, appeared before the meeting for the purpose of explaining the variance requested and the process to be followed. All requirements of the Municipal Government Act have been followed by the Municipality in this matter.

Resolution C140605

**Moved** by D. Messenger and seconded by J. Crook that Council approve the variance requested by Mr. Randal Smith reducing his side yard requirement from 10 feet to 3 feet.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

High Speed Internet Service

Correspondence has been received from the Minister of Economic and Rural Development regarding the provision of high speed internet within the Municipality. The Minister says, in part, that every effort will continue to be made to find a solution that will expand high speed internet service to currently unserved Nova Scotians, including those who live and work in the communities referenced within the Municipality of the District of Barrington.

Resolution C140606

**Moved** by J. Crook and seconded by G. El-Jakl that representatives of Eastlink be asked to meet with the Committee of the Whole in order to discuss the terms of the Broadband for Rural Development and Tourism, and its contractual obligations to provide broadband to rural Nova Scotia, in particular, within the Municipality of Barrington.

Motion carried unanimously.

CORRESPONDENCE

EMO Budget

Members were informed that the Town of Clark's Harbour has approved the EMO Budget for the 2014/2015 fiscal year.

Request for Crosswalk

Correspondence has been received from the Western Regional Housing Authority to have a crosswalk installed in front of the Bay Vista apartments in Barrington Passage. A similar request was previously made of the Department of Transportation in 2007.

Members then discussed the possibility of establishing a crosswalk in that area.

Resolution C140607

**Moved** by D. Messenger and seconded by S. Hatfield that the Department of Transportation and Infrastructure Renewal be requested to investigate the possibility of establishing a crosswalk in the vicinity of Bay Vista apartments. This crosswalk may not necessarily be directly in front of the apartments, but on a nearby intersection with a local road.

Motion carried unanimously.

This correspondence will be copied to Bonnie Lloyd, Field Officer, at Western Regional Housing Authority.

There then followed some discussion regarding the location of other crosswalks in the community such as where multi-use trails intersected with the highway.

Resolution C140608

**Moved** by S. Hatfield and seconded by J. Crook that the Western Regional Housing Authority also be requested to send a letter to the Department of Transportation and Infrastructure Renewal in support of the Municipality's request for the location of a crosswalk.

Motion carried unanimously.

WARDEN'S REPORT

The Warden indicated that he had attended various meetings during the month of June including the Lobster Festival Opening June 6<sup>th</sup>, Tourism Meeting June 6<sup>th</sup>, Trail Opening Meeting June 14<sup>th</sup> and an Audit Committee Meeting June 12th.

COUNCILLOR'S REPORT

Councillor Crook brought forward the recommendations from the Committee of the Whole meetings during the month.

Barrington Bay Trail

Resolution C140609

**Moved** by J. Crook and seconded by D. Messenger that the Municipality contact the Woodlands Multi Use Trail Association to confirm that they are willing to assume the licence of the Municipality from the Department of Natural Resources for the Barrington Bay Trail, and then request the Department of Natural Resources to transfer the Municipality's licence to the Woodlands Multi Use Trail Association, and that a letter of congratulations be sent to the Woodlands Multi Use Trail Association for their trail work done within the Municipality, and the establishment of the kiosk and trail head location at the Cape Sable Island Causeway.

Motion carried unanimously.

C & D Landfill Hours

Resolution C140610

**Moved** by G. El-Jakl and seconded by J. Crook that the Municipal Landfill close on Saturdays at Noon, beginning Saturday, August 2, 2014.

Motion carried unanimously.

Bursary Selection

Resolution C140611

**Moved** by J. Crook and seconded by S. Hatfield that the Municipal Bursary be awarded to Desiree Atwood at the BMHS Graduation Ceremonies.

Motion carried unanimously.

Personal/Submersible GPS Devices for ATVs and Small Water Crafts

**Moved** by S. Hatfield and seconded by J. Crook that a letter be sent to the National Recreational Boating Advisory Council, and to the Department of Natural Resources, suggesting that they consider having GPS devices installed on ATVs and smaller vessels for safety reasons in both cases.

**Moved** by S. Hatfield and seconded by D. Messenger that this motion be amended by adding the phrase “at point of manufacturer” after the word “vessels”.

Amendment carried unanimously.

The amended motion now reads:

Resolution C140612

“...that a letter be sent to the National Recreational Boating Advisory Council and to the Department of Natural Resources suggesting that they consider having GPS devices installed on ATVs and smaller vessels at point of manufacturer for safety reasons in both cases.”

Amended motion carried unanimously.

Department of Transportation

Resolution C140613

**Moved** by J. Crook and seconded by D. Messenger that correspondence be sent to the Department of Transportation and Infrastructure Renewal requesting that they evaluate the passing zone and the 80 kilometer zone in Clyde River with a view to reducing the speed limit and eliminating the passing zone.

Motion carried unanimously.

Resolution C140614

**Moved** by J. Crook and seconded by G. El-Jakl that the local RCMP Detachment be requested to perform more speed checks in the Clyde River area.

Motion carried unanimously.

Sale of Municipal Property – Former Crowell’s Store

Resolution C140615

**Moved** by J. Crook and seconded by D. Messenger that the Municipality enter into an agreement to sell the former Crowell’s Store property to James and Donna Reid for \$4,000.00, with the conditions that the building be completely demolished within six (6) months, that the purchaser pay the migration costs for registering the property, and that the removal of property be done at the expense of the purchasers.

Motion carried unanimously.

Janitorial Services

Resolution C140616

**Moved** by D. Messenger and seconded by S. Hatfield that the Municipality accept the tender for janitorial services submitted by Enslow’s Maintenance and Cleaning Services, and the agreement be for a maximum of five (5) years, if possible, and a minimum of three (3) years.

Motion carried unanimously.

Councillor Crook then completed his report indicating the various meetings that he attended during the month.

Councillors Messenger, El-Jakl and Hatfield also provided their reports indicating the various meetings they had attended during the month, which included the Federation of Canadian Municipalities Conference, the Woodlands Multi Use Trail Association trail opening, the Library Board Meeting, a Chapel Hill Museum Meeting and the Audit Committee Meeting.

Councillor Messenger also indicated she had discussed the UFO Site in Shag Harbour with Councillor Dwight Weibe from the Town of St. Paul, Alberta. Information about the UFO Site in Shag Harbour will be sent to Councillor Weibe.

NEW BUSINESS

Estimate of Revenues and Expenditures for 2014/15

A presentation was then made by the Clerk-Treasurer providing information on the revenues and expenditures contained in the proposed budget for the coming year as well as the establishment of the various tax rates. After this presentation was completed the following motions were made to put in place the various tax rates and the Temporary Borrowing Resolution and interest rate for the coming year.

Resolution Setting Tax Rates, due date and interest for 2014/15

Resolution C140617

**Moved** by S. Hatfield and seconded by D. Messenger 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 2014/2015 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 Four Million Nine Hundred Thirty-Four Thousand One Hundred Dollars (\$4,934,100.00);

**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 Fifty-Five Cents (\$2.55) per One Hundred Dollars (\$100.00) on the assessed value of the commercial property, and One Dollar (\$1.00) 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 2014/2015 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”  
Motion carried unanimously.

Setting of Fire Rates for 2014/2015

Resolution C140618

**Moved** by S. Hatfield and seconded by D. Messenger that the following area rates be set for 2014/2015 fiscal year:

Woods Harbour/Shag Harbour Volunteer Fire Department	\$0.186/\$100.00 of assessment
Barrington and Port LaTour Volunteer Fire Department	\$0.153/\$100.00 of assessment
Island & Barrington Passage Volunteer Fire Department	\$0.094/\$100.00 of assessment
Port Clyde Volunteer Fire Department	\$0.153/\$100.00 of assessment

**AFFIRMATIVE**

Jody Crook  
Shaun Hatfield  
Eddie Nickerson  
Donna LeBlanc-Messenger

**NEGATIVE**

George El-Jakl

Motion carried.

Sewer Service Charge

Resolution C140619

**Moved** by G. El-Jakl and seconded by J. Crook that the sewer service charge of \$300.00 per unit for the Woods Harbour and Barrington-Barrington Passage Sewer Systems remain unchanged for the 2014/2015 fiscal year.

Motion carried unanimously.

Farm Acreage Tax

Resolution C140620

**Moved** by S. Hatfield and seconded by D. Messenger that the Farm Acreage Tax for the year 2014/2015 be \$2.90 per acre for all land that is assessed as exempt farm land.

Motion carried unanimously.

**TEMPORARY BORROWING RESOLUTION**

Resolution C140621

**Moved** by J. Crook and seconded by S. Hatfield 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 31<sup>st</sup> day of March 2014, was \$5,931,425.00.

And the aggregate amount of the taxes to be levied for the current year will exceed \$4,942,786.00.

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 23<sup>rd</sup> day of June 2014, 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").

**1<sup>st</sup> 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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 amount borrowed from time to time under the provisions of the Resolution.

**4<sup>th</sup> That** the said sum of \$1,500,000 so to be borrowed shall be payable on or before the 31<sup>st</sup> 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 31<sup>st</sup> day of March 2015, 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 31<sup>st</sup> day of March next.

**5<sup>th</sup> 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.

RFP – Refrigeration System Maintenance

The Municipality issued a Request for Proposal for a Refrigeration System Maintenance Agreement for the Barrington Municipal Arena and for the Barrington Regional Curling Club. In response to this RFP two proposals were received. Proposals were received from Fixair and CIMCO. A summary of the cost of these proposals for start-up, mid-season inspection and shut-down at the end of the season was provided to members for their review. After some discussion it was agreed that the lowest price proposal which was received from CIMCO should be accepted.

Resolution C140622

**Moved** by S. Hatfield and seconded by D. Messenger that the Municipality accept the proposal for a Refrigeration System Maintenance Agreement at the Barrington Municipal Arena and the Barrington Regional Curling Club provided by CIMCO Limited.

Motion carried unanimously.

Members requested that more information be provided concerning the provision of an 8 hour emergency service from this proponent.

Upon questioning by the Warden, no objection was proffered by members to continue past the hour of 10:00 p.m. in order to complete the business of the meeting.

PAC Appointments – Non-Council Members

The Municipality has again advertised for public members on the Planning Advisory Committee.

Members were informed that Mr. Wilfred Mader has withdrawn from serving on this Committee due to personal reasons.

Resolution C140623

**Moved** by G. El-Jakl and seconded by D. Messenger that a letter of thank you be sent to Mr. Mader for his service over the past two years on the Planning Advisory Committee.

Motion carried unanimously.

A previous motion had been made at the Council meeting of April 28, 2014 concerning membership on the Planning Advisory Committee which was tabled.

Resolution C140624

**Moved** by S. Hatfield and seconded by J. Crook that the tabled motion made at the Council meeting of April 28, 2014 appointing Sally Nickerson, Wilfred Mader and Cindy Nickerson to serve on the Planning Advisory Committee for a two year period be rescinded as it is now redundant since Mr. Mader no longer wishes to serve, and Sally Nickerson is not a resident of the Municipality.

Motion carried unanimously.

Resolution C140625

**Moved** by S. Hatfield and seconded by J. Crook that this matter be referred to Committee of the Whole for reconsideration of the number of public members on the Planning Advisory Committee.

Motion carried unanimously.

Policy No. 54 Amendment

Notice of consideration of amendments to Policy No. 54 had been made at a prior Council meeting. It is now proposed that the General Operating Guidelines for the Barrington Municipal Fire and Emergency Service be amended to include additional guidelines for the operation of the fire departments within the Fire Service. These General Operating Guidelines have been reviewed by the Fire Service Coordinator and the Fire Service Advisory Committee and recommended to Council.

Resolution C140626

**Moved** by J. Crook and seconded by S. Hatfield that the amendments to Policy No. 54 containing the General Operating Guidelines for the Barrington Municipal Fire and Emergency Service be approved.

Motion carried unanimously.

Police Advisory Board

Councillor El-Jakl informed members that Mr. Dick Crowell has been appointed by the Province as the provincial liaison member of the local Police Advisory Board. As a result it will now be necessary for the Municipality to seek another public member for that Board.

Resolution C140627

**Moved** by G. El-Jakl and seconded by J. Crook that the Municipality advertise for a public member for the Joint Police Advisory Board to represent the Municipality.

Motion carried unanimously.

Bay Side Home By-Laws

Councillor El-Jakl also informed members that new by-laws for Bay Side Home Corporation have recently been received and will be reviewed and put in place by that institution.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:19 p.m.

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Warden

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Secretary for the Meeting

**On website June 26, 2014.**