

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 22, 2014.

### ROLL CALL

The meeting was called to order by the Warden at 7:00 p.m. with the following members present:

- Warden Lindsay (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

### DECLARATIONS OF CONFLICT OF INTEREST

Councillor George El-Jakl informed members that he would be declaring conflict of interest when dealing with the funding request received from Bay Side Home. He is the Chair of the Bay Side Home Board of Directors.

Deputy Warden Donna LeBlanc-Messenger informed members that she would be declaring conflict of interest when dealing with the report on the public meeting Re: wind turbine generator as she owns property in the Goose Lake area.

Councillor Shaun Hatfield informed members he would be declaring conflict of interest when dealing with the funding request received from Bay Side Home since the letter was from the Administrator of Bay Side Home, Paula Hatfield, who is a family member.

### APPROVAL OF MINUTES

**Moved** by G. El-Jakl and seconded by D. Messenger that the minutes of the last meeting of Council held August 21, 2014 be approved as circulated.

Motion carried unanimously.

### MATTERS ARISING FROM THE MINUTES

#### Me to We Swim Fundraiser

In advance to the meeting each member was provided with a report from the Recreation Director advising that the Me to We swim fundraiser took place on Saturday, August 23, 2014.

Speed Zone and Passing Zone

As a result of Council's request for the Department of Transportation to evaluate the passing zone and the 80 kilometre zone in Clyde River, with a view to reducing the speed limit and eliminating the passing zone, correspondence has now been received from Joe Crowell of the Department of Transportation. Mr. Crowell has advised that the department has engaged a consultant to complete a safety and operational review of Highway 103 from Tantallon to Yarmouth. The objective of the review is to identify the current and projected operational and safety deficiencies and make recommendations for practical strategies to ensure that an acceptable level of service and safety performance are maintained. The section of Highway 103 through Clyde River will be part of this review and residents' ongoing concerns about the speed limit and the passing zone will be brought to the consultant's attention.

Bay Vista Crosswalk

As a result of Council's request for the Department of Transportation to investigate the possibility of establishing a crosswalk in the vicinity of Bay Vista Apartments, correspondence has now been received from Joe Crowell of the Department. Mr. Crowell advised that he will arrange for a traffic/pedestrian count at the Bay Vista Apartments. If the data indicates that there is sufficient demand for a pedestrian crosswalk, then he will be able to approve the installation. Due to the location, if a crosswalk is warranted, it will require overhead RA-5 signs with flashing amber beacons. It will also be necessary to cut the curb for wheelchair access and provide a curb refuge area for pedestrians on the other side of Trunk 3. Mr. Crowell will contact us once the count data has been reviewed.

Thank You Letter

In advance to the meeting each member was provided with a copy of a letter received from Sou' West Nova Transit Association. The letter thanked Council for the grant of \$4,500 to assist with the operation of their transit service.

PROCLAMATION - "RIGHT TO KNOW WEEK"

In advance to the meeting each member was provided with a draft proclamation, proclaiming "Right to Know Week".

Having received no objection, the Warden declared September 22 to September 28, 2014 as “Right to Know Week” in the Municipality of Barrington. The proclamation reads as follows:

**WHEREAS** the Municipality of Barrington has adopted the principles of openness, transparency and accountability; and

**WHEREAS** part XX of the Municipal Government Act gives citizens a right of access to information in the custody or under the control of the Municipality of Barrington; and

**WHEREAS** access to information ensures citizens of Nova Scotia have the opportunity for meaningful participation in the democratic process; and

**WHEREAS** a celebration of the right of citizens to access information will facilitate informed public participation in policy formulation, ensure fairness in government decision-making and permit the airing and reconciliation of divergent views; and

**WHEREAS** the Municipality of Barrington joins all other Canadian jurisdictions and democracies world-wide in acknowledging international Right to Know Week;

**THEREFORE BE IT RESOLVED** that I, Warden Lindsay Nickerson, Municipality of Barrington, do hereby proclaim September 22 to September 28, 2014 to be Right to Know Week in the Municipality of Barrington.

Motion carried unanimously.

#### CORRESPONDENCE

##### Request from Sea Star Ice Dogs Re: Ice Logos

The Sea Star Ice Dogs have once again requested permission to install logos on the ice for the upcoming 2014-2015 hockey season.

##### Resolution C140901

**Moved** by S. Hatfield and seconded by G. El-Jakl that the Sea Star Ice Dogs be permitted to once again install logos on the ice for the upcoming season.

Motion carried unanimously.

##### Western Regional Housing Authority Appointment

In advance to the meeting each member was provided with a copy of a letter received from the Minister of Community Services confirming the appointment of Cecil Swimm to the Board of the Western Regional Housing Authority as the Municipality’s representative. Mr. Swimm’s appointment is for three (3) years and will commence on September 24, 2014 and will expire on September 24, 2017.

##### Bay Side Home Funding Request

##### Conflict of Interest

Councillor George El-Jakl declared conflict of interest, vacated his seat and left the meeting room. Councillor El-Jakl is the Chair of the Board of Directors of Bay Side Home.

Councillor Shaun Hatfield declared conflict of interest, vacated his seat and left the meeting room. Councillor Hatfield is related to the Administrator of Bay Side Home who is making the request for funding.

Correspondence has been received from Paula Hatfield, Administrator, Bay Side Home, requesting a financial contribution toward the purchase of a new van. Their present van purchased in 2005 only has two spots for wheelchairs to serve the needs of the adult residential centre with 22 mobile residents. The current van does not serve the needs of residents of the long term care facility with 62 residents and many seniors in wheelchairs with limited mobility. They have currently fundraised \$35,000 towards the purchase of a new 2014 van.

During discussion of this matter the following questions were raised:

- Will Bay Side Home be receiving any government funding towards the purchase of a new van?
- Type of van to be purchased?
- Total cost of van?
- What amount did the Municipality contribute towards the 2005 van purchase?
- What is the amount of funding remaining in Community Grants for 2014/2015?

#### Resolution C140902

**Moved** by D. Messenger and seconded by J. Crook that additional information be obtained and the matter be once again discussed by Council.

Motion carried unanimously.

Councillors George El-Jakl and Shaun Hatfield returned to the meeting.

#### PUBLIC HEARING RE: 2014 ELECTORAL DISTRICT BOUNDARY REVIEW

At 7:30 p.m. the Warden informed members that this portion of the Council meeting will be a Public Hearing regarding the 2014 Municipal Electoral District Boundary Review. The Clerk informed members that the Public Hearing was advertised in the Coast Guard Newspaper on September 9<sup>th</sup> and 16<sup>th</sup>, 2014, and was also placed on the Municipal website on August 11, 2014. Section 369 of the Municipal Government Act requires all Nova Scotian municipalities to complete a study of the number of boundaries of their electoral districts in the 2014 calendar year. It was reported that the Municipality of Barrington completed a Municipal Boundary Review in late 2011 which resulted in the number of councillors and municipal districts being reduced from seven (7) to five (5) for the October 2012 municipal elections. Due to this recent change Council does not wish to make any further changes at this time.

Written comments were received from Steven Stoddart, a resident of Barrington, which was circulated to members in advance to the meeting. The Clerk read the letter received from Steven Stoddart and Mr. Stoddart was asked to address Council. In the interest of geographic size, population and community of interest, Mr. Stoddart is requesting that Council consider removing the communities of Barrington and River Head from District 1 and including them in Municipal Electoral District 5.

Resolution C140903

**Moved** by S. Hatfield and seconded by D. Messenger that the Electoral District Boundary Review be referred to the next Committee of the Whole Council meeting for further review and discussion.

Motion carried unanimously.

Mr. Stoddart was thanked for making his presentation to Council.

The Regular Council Meeting was then called back to order.

VARIANCE REQUEST – DIXON’S MARINE GROUP 2000 INC.

Dave Andrews, Building Inspector/Development Officer, was present for this portion of the meeting, arriving at 8:00 p.m.

Gary Dixon, of Dixon’s Marine Group 2000 Inc., wishes to construct an addition to an existing building on his property located at 6501 Highway #3, Lower Woods Harbour, Assessment Account #05995086. Mr. Dixon is requesting the undisturbed buffer between the addition of his building and the high water mark be reduced from the required 40 feet to 10 feet. The original application to the Municipal Development Officer was rejected since the request does not meet the requirements of the Land Use By-Law.

All assessed owners located with 30 meters of the variance sought have been notified that the appeal would be considered at tonight’s meeting of Council.

In advance to the meeting each member of Council was provided with a copy of a written response received from Darryl Stoddard, a neighboring property owner, opposing the variance request.

During discussion of this matter the Building Inspector informed members that should the variance request be approved Mr. Dixon will be required to provide engineered drawings before proceeding with the project.

Resolution C140904

**Moved** by G. El-Jakl and seconded by S. Hatfield that the variance requested by Dixon’s Marine Group 2000 Inc. be approved reducing the undisturbed buffer between the addition of his building and the high water mark from the required forty (40) feet to ten (10) feet, and that engineered drawings be required for this project.

Motion carried unanimously.

Dave Andrews, Building Inspector/Development Officer, was thanked for appearing before Council and left the meeting at approximately 8:35 p.m.

PRESENTATION – HEATH SPENCER, SHELBURNE ASSOCIATION SUPPORTING INCLUSION

Mr. Heath Spencer of Shelburne Association Supporting Inclusion was scheduled to appear before Council this evening but was unable to attend due to illness. Mr. Spencer did forward an email providing details on an Information Session which will be held on Tuesday, October 7, 2014 to explore the proposed transformation of the services for persons with disabilities presented by the Shelburne Association Supporting Inclusion and the Nova Scotia Association of Community Living. The information session will be held at the Osprey Arts Centre and will commence at 6:00 p.m.

Resolution C140905

**Moved** by D. Messenger and seconded by G. El-Jakl that the expenses be paid for any councillor wishing to attend.

Motion carried unanimously.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

Councillor George El-Jakl

Councillor George El-Jakl reported on recommendations from Committee.

Jake Brakes

Resolution C140906

**Moved** by D. Messenger and seconded by J. Crook that a letter be sent to the RCMP indicating that engine brakes are being used in the 50 kilometer zone in Barrington Passage, and requesting the RCMP to monitor and address this matter under the Motor Vehicle Act.

Motion carried unanimously.

Kelley Penney Request

Resolution C140907

**Moved** by S. Hatfield and seconded by J. Crook that a donation be made to the Barrington Municipal High School in support of its recreation activities for students, in the amount of \$200.00 from the Municipality's Activities Fund, and that a letter be sent to Kelley Penney indicating that this donation has been made to the High School as a result of her request.

Motion carried unanimously.

Lower Clark's Harbour Property

In 2013 the Municipality purchased a property at Tax Sale in Lower Clark's Harbour. This property is in a poor state of repair and demolishing this property will leave an appropriate location to establish a new tourist rest stop.

Resolution C140908

**Moved** by J. Crook and seconded by S. Hatfield that the Municipality demolish the former Geneva's Restaurant in Lower Clark's Harbour and clean up the property appropriately.

Motion carried unanimously.

Gardiner Allen Pension

Resolution C140909

**Moved** by D. Messenger and seconded by J. Crook that a letter be sent to Gardiner Allen explaining to him that having obtained legal advice the Municipality must deny his request for the unvested municipal funds contributed to the Pension Plan as the Municipal Government Act does not allow such an expenditure.

Motion carried unanimously.

December Meetings

Resolution C140910

**Moved** by G. El-Jakl and seconded by J. Crook that a Committee of the Whole Council meeting be held on December 1, 2014, and that the Council meeting for the month be held on December 8, 2014.

Motion carried unanimously.

Tourism and Community Development Officer Report

Resolution C140911

**Moved** by D. Messenger and seconded by J. Crook that the Tourism and Community Development Officer position be extended for a period of five (5) months, to March 31, 2015, and that continuation of this position then be further considered during budget deliberations for the coming year. Information will be obtained on how this position will be funded for the balance of this year.

Motion carried unanimously.

Resolution C140912

**Moved** by J. Crook and seconded by S. Hatfield that the Tourism and Community Development Officer position be funded by taking \$20,000 from the Municipal Budget which was allocated for economic development, leaving \$5,000 in the Economic Development account, and that the continuation of the Tourism and Community Development Officer position be placed on the agenda for the February 9, 2015 Committee of the Whole Council agenda.

Motion carried unanimously.

Skateboard Ramp Location

Resolution C140913

**Moved** by D. Messenger and seconded by G. El-Jakl that the skateboard ramp be located on Sherose Island at the location suggested by the Recreation Director.

Motion carried unanimously.

**Moved** by S. Hatfield and seconded by J. Crook that a press release be made by the Municipality to make the public aware of the location of the skateboard ramp, and that it is an unmonitored municipal recreation facility.

**Moved** by D. Messenger and seconded by G. El-Jakl that the above motion be tabled until the next meeting of Council, and that the press release be prepared and forwarded to the Municipal Solicitor for review prior to the meeting.

Motion carried unanimously.

Regulation Review by Region 6

The Region 6 Waste Management Committee has reviewed the document provided by Nova Scotia Environment titled *Solid Waste Resource Management Regulation Review*. In response to the Review, Region 6 has made the following motion:

***Region 6 Solid Waste Management requests that a committee be struck immediately to investigate the implications of the proposed seven (7) areas under review. The Committee structure should consist of four (4) municipal representatives, two (2) industry representatives, two (2) NSE representatives, one (1) UNSM/AMA representative, and one (1) resource person (Financial Impact model).***

Resolution C140914

**Moved** by J. Crook and seconded by S. Hatfield that a letter of support be sent to the Minister of Environment for the motion made by Region 6 Solid Waste Management Committee as stated above concerning the Solid Waste Resource Management Regulation Review.

Motion carried unanimously.

Department of Transportation and Infrastructure Renewal

Resolution C140915

**Moved** by S. Hatfield and seconded by G. El-Jakl that a letter be sent to the Department of Transportation and Infrastructure Renewal requesting that maintenance be done on the shoulder of the road from the location of the ice plant on Cape Sable Island south of the Causeway to the Lydia B. Ross's house nearby.

Motion carried unanimously.

**Moved** by G. El-Jakl and seconded by D. Messenger that correspondence be sent to the Department of Transportation and Infrastructure Renewal requesting that maintenance on the shoulder of the road be done in the Woods Harbour area as previously requested.

It is reported that this work has already been carried out by the Department of Transportation.

Motion was withdrawn.

Resolution C140916

**Moved** by G. El-Jakl and seconded by D. Messenger that correspondence be sent to the Department of Transportation and Infrastructure Renewal requesting that maintenance on the shoulder of the road be done in the Charlesville and Sherose Island areas.

Motion carried unanimously.

Revised Emergency Management Plan

It was reported that the Emergency Management Plan has been revised and it is the recommendation of the EMO Executive Committee that the Plan now be considered for approval by the Council for the Municipality of Barrington and the Council for the Town of Clark's Harbour.

Resolution C140917

**Moved** by S. Hatfield and seconded by G. El-Jakl that the revised Emergency Management Plan, as approved by the EMO Executive Committee on September 16, 2014, be approved.

Motion carried unanimously.

Councillor El-Jakl then gave a brief report on his activities since the last meeting of Council.

Councillor Shaun Hatfield

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

Councillor Jody Crook

Councillor Crook gave a brief report of his activities since the last meeting of Council.

Councillor Crook also informed members that another petition letter has been circulated in an attempt to save the Baccaro light and fog alarm. Six hundred eighty-two (682) signed letters have been collected.

Resolution C140918

**Moved** by J. Crook and seconded by S. Hatfield that the 682 signed letters including petition letters and individual letters be forwarded to the Canadian Coast Guard and MP Gerald Keddy in an attempt to save the Baccaro light and fog alarm.

Motion carried unanimously.

Deputy Warden Donna LeBlanc-Messenger

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

Deputy Warden Messenger reported on recently attending a workshop in Halifax entitled *Citizen Engagement*, at which Danny Graham, Chair of *Engage Nova Scotia*, was present.

Resolution C140919

**Moved** by D. Messenger and seconded by S. Hatfield that Danny Graham, Chair of *Engage Nova Scotia* be invited to meet with members of Council in January 2015 to discuss community initiatives for our area.

Motion carried unanimously.

NEW BUSINESS

Notice of Consideration Re: Policy 54 “Fire Response and Emergency Services Policy”

In advance to the meeting each member was provided with proposed changes to Policy 54, “Fire Response and Emergency Services Policy”. These amendments change the reference from “Deputy Chiefs” to “District Chiefs” and updates the policy to reflect only four (4) fire departments within the Municipality now. These changes will be considered by Council at their next meeting.

During discussion of this matter it was noted that resignations have been received from Dwayne Hunt and Eugene Stoddard.

Resolution C140920

**Moved** by S. Hatfield and seconded by J. Crook that letters of thanks and appreciation be forwarded to Dwayne Hunt and Eugene Stoddard for their many years of faithful service to fire departments within the Municipality of Barrington, and most recently the Island and Barrington Passage Volunteer Fire Department.

Motion carried unanimously.

Wind Turbine Generator – C & D Landfill Site

Conflict of Interest

Deputy Warden Donna LeBlanc-Messenger declared conflict of interest, vacated her seat and left the meeting room. Deputy Warden Messenger owns property in the Goose Lake area.

The Warden reported on the public meetings held on August 28, 2014 and September 11, 2014 to explain the construction of a wind turbine generator at the Construction and Demolition Debris Landfill Site. Mr. Michael Carey of Endurance Wind Power was present and made a power point presentation explaining the type of machine that would be used, its location, the amount of power it would produce, and the resulting benefits to the Municipality. It is proposed that the wind turbine generator will be a 50 kilowatt turbine with a maximum blade tip height of 51.6 meters.

No public members attended the August 28, 2014 meeting, and only two (2) members of the public attended the September 11, 2014 meeting. The Information Sessions were advertised on the municipal website, municipal facebook, and in the Coast Guard Newspaper.

Members were informed that a new sign has been installed at the entrance to the C & D Landfill Site advertising the project.

Deputy Warden Donna LeBlanc-Messenger returned to the meeting.

ADJOURNMENT

There being no further business to be dealt with, the meeting was adjourned at 9:30 p.m.

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Warden

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Clerk

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Secretary for the Meeting

**On website September 24, 2014.**