

Minutes of the Regular Meeting of the Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, NS, on Monday, January 27, 2020. The meeting was called to order by the Warden at 7:05 p.m., with the following members present:

- Warden Lindsay (Eddie) Nickerson
- Deputy Warden Jody Crook
- Councillor Murray Atkinson
- Councillor George El-Jakl
- Councillor Shaun Hatfield
  
- Chris Frotten, CAO
- Lesa Rossetti, Municipal Clerk

#### ADDITIONS TO THE AGENDA

There were no additions to the agenda.

#### APPROVAL OF THE AGENDA

Being duly moved and seconded that the agenda be approved as circulated.

Motion carried unanimously.

#### DECLARATIONS OF CONFLICT OF INTEREST

Councillor El-Jakl informed members that he will be declaring Conflict of Interest when Council considers his Variance Appeal.

#### APPROVAL OF MINUTES

Being duly moved and seconded that minutes of the Regular Meeting held December 9, 2019, be approved as circulated.

Motion carried unanimously.

#### MATTERS ARISING FROM THE MINUTES

##### Cannabis Production Facilities

The Building Inspector/Development Officer was present for this portion of the meeting

As requested by Council, the Building Inspector/Development Officer contacted other municipal units to determine what types of nuisances they have encountered as it relates to cannabis production and processing. Municipal units contacted reported no complaints being received. It was noted that production facilities are monitored by Health Canada for noise and odour.

REPORT OF WARDEN

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

REPORT OF COUNCILLORS

The Deputy Warden and each Councillor gave a brief report on their activities since the last meeting of Council.

As Chair of the Planning Advisory Committee, the Deputy Warden reported on recommendations from the committee which were as follows:

Setback Requirements for Lobster Storage Facilities

Staff has researched setbacks and definitions used by other municipal units for lobster storage facilities. Other municipal units do not clearly define lobster holding facilities and our setback requirements are similar to what other municipal units have in place.

Resolution C200101

Being duly moved and seconded that steps be taken to add the definition of a lobster storage facility to the Land Use By-law to read “Lobster Storage Facility means an enclosed facility or part of a facility constructed onshore which is capable of holding live lobsters for future sale to the wholesale or retail markets in controlled conditions utilizing pumped seawater”.

Motion carried unanimously.

Conflict of Interest

At this time, Warden Nickerson declared Conflict of Interest, vacated his seat and left the meeting room.

The Warden is employed in the lobster industry.

The Deputy Warden took the Chair and continued with recommendations from the Planning Advisory Committee.

Resolution C200102

Being duly moved and seconded that steps be taken to add the “Lobster Storage Facility” definition in the Industrial Marine Zone, Rural Development Zone and Mixed Use Zone.

Motion carried unanimously.

During discussion of setbacks it was noted that maximum setbacks for “light industrial uses” is 30 feet from sidelines and 40 feet from front and rear yards.

Resolution C200103

Being duly moved and seconded that “Lobster Storage Facilities” have the same setbacks as light industrial uses.

Motion carried unanimously.

The Warden returned to the meeting and resumed the Chair.

Having reached the hour of 7:30 p.m., it was agreed that the Variance Appeal be dealt with at this time.

NEW OR OTHER BUSINESS

Public Hearing - George El-Jakl Variance Appeal

Conflict of Interest

Councillor El-Jakl declared Conflict of Interest, vacated his seat and left the meeting room.

Councillor El-Jakl is the owner of “Anthony’s Convenience” and is requesting the Variance.

It was reported that George El-Jakl has appealed the decision of the Development Officer not to grant a variance for his property located at 6739 Highway 3, Lower Woods Harbour, Assessment Account Number 01025066. Mr. El-Jakl wishes to construct an addition to his store “Anthony’s Convenience”. He is requesting the set back distance between the addition of his store and the side property line be reduced from the required twenty (20) feet to two (2) feet.

All property owners located within 30 meters of the property in question have been given notice of the public hearing being held this evening. The CAO informed members that one written objection has been received which was from Garry Goreham of Hilltop Furniture and Appliances Limited.

Resolution C200104

Being duly moved and seconded that the variance appeal filed by George El-Jakl to construct an addition to his store “Anthony’s Convenience” within two (2) feet of the side property line be approved as requested.

Motion carried unanimously.

Councillor El-Jakl returned to the meeting.

CONTINUATION OF REPORT OF COUNCILLORS

The Deputy Warden continued with recommendations from the Planning Advisory Committee.

Permitted Uses in the Rural Development Zone Re: Light Pollution

The Planning Advisory Committee has discussed permitted uses in the Rural Development Zone and light pollution following a complaint in the Port LaTour area. During discussion it was noted that the Region of Queens, Municipality of Shelburne, Municipality of Argyle, Municipality of Yarmouth, Municipality of Clare and the Municipality of Digby have no regulations or by-laws in place concerning light emissions. It was also noted the enforcement would be a challenge with this type of legislation.

Resolution C200105

Being duly moved and seconded that it be recommended to Council that no action be taken concerning light pollution.

Motion carried unanimously.

The Building Inspector/Development Officer was thanked for appearing before members and left the meeting at 7:50 p.m.

REPORT FROM COMMITTEE OF THE WHOLE COUNCIL

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

Commercial Waste Collection Notice

Staff is proposing that a letter be sent to all commercial, industrial and institutional establishments in the Municipality informing them of what our limits are as it relates to the number of bags and weight of bags and advising them that in the near future we will be enforcing the rules.

Being duly moved and seconded that the proposed Commercial Waste Collection letter be amended to state that these are not new regulations and that the letter be sent to all commercial, industrial and institutional establishments in the Municipality.

Being duly moved and seconded that the above motion be tabled and the matter be referred back to Committee of the Whole Council for further discussion.

Motion carried unanimously.

Application for Vending Permit - Puggy's Kitchen

Resolution C200106

Being duly moved and seconded that the Vending Permit Application received from Laura Smith of Puggy's Kitchen, be approved, subject to all fees and documentation being received.

Motion carried unanimously.

Janitorial Contract

Resolution C200107

Being duly moved and seconded that the tender received from Enslow's Maintenance and Cleaning Services for janitorial services, for a three year period, excluding the arena and VIC, be accepted, as recommended by staff.

Motion carried unanimously.

Future VIC Operation

A drop in visitor numbers due to more people accessing destination information via their mobile phones and other devices has prompted staff to review future VIC operations.

Resolution C200108

Being duly moved and seconded that the Municipality cease operations of the VIC located at 2517 Highway 3, Barrington and focus the Municipality's attention to serving its visitors through its social media platforms, ShowMe Map and mobile VIC, as recommended by staff.

Motion carried unanimously.

Resolution C200109

Being duly moved and seconded that the Municipality sell or lease long-term the VIC building located at 2517 Highway 3, Barrington, as recommended by staff.

Motion carried unanimously.

Chief Administrative Officer

Resolution C200110

Being duly moved and seconded that after having received a satisfactory performance evaluation, the salary for the Chief Administrative Officer be increased to the 3<sup>rd</sup> level on the Salary Band effective April 1, 2020.

Motion carried unanimously.

Provincial Tree Harvesting Plans

A letter has been drafted by the CAO in response to the proposed forest harvest in the Deception Lake area. The letter requests that harvesting plans be put on hold until the ecological forestry practices included in the Lahey Report are seriously considered and assessed for implementation. The letter further states the importance of the economic benefit of forest harvesting being properly balanced with the ecological sustainability and recreational uses of local residents.

Resolution C200111

Being duly moved and seconded that the letter drafted by the CAO regarding the proposed forest harvest in the Deception Lake area be accepted as presented and forwarded to the Minister of Lands and Forestry.

Motion carried unanimously.

Fire Capital Purchasing Plan

Resolution C200112

Being duly moved and seconded that the Municipality set a Municipal Fire Capital Purchasing Tax Rate of 1.5 cents per \$100.00 of assessment and that the revenues accumulated from this rate be divided equally amongst the three fire departments and used for capital purchases.

Motion carried unanimously.

Resolution C200113

Being duly moved and seconded that the Municipality set fire area rates every three (3) years rather than every year to help stabilize fire area rates and allow the Municipality and the fire departments to better plan financially for the future.

Motion carried unanimously.

Bilingual Stop Sign Project

Correspondence has been received from a group of students from Ecole secondaire de Clare who is trying to change the law to bring bilingual stop signs to the Municipality of Clare. The group believes that a letter of support from an English-speaking region could bring a lot of strength to their request.

Resolution C200114

Being duly moved and seconded that the Municipality provide a letter in support of the student's request to bring bilingual stop signs to the Municipality of Clare.

Motion carried

AFFIRMATIVE

Murray Atkinson  
George El-Jakl  
Shaun Hatfield  
Eddie Nickerson

NEGATIVE

Jody Crook

It was noted that Provincial legislation does not permit bilingual signage. This is done so that drivers across the province see the same regulatory signs and react appropriately no matter where they are driving.

Treatment Plant Assessment RFP

During discussion of this matter it was noted that the total cost of the project, although it will be 50% cost shared by the Province, will be \$5,500.00 over budget for the Municipality. The CAO advised that the overage will be taken from "Other Professional Fees".

Resolution C200115

Being duly moved and seconded that the proposal received from CBCL Limited for the evaluation of the current condition of the Brass Hill Wastewater Treatment Facility, in the amount of \$36,305.00 plus hst, be accepted as recommended by staff.

Motion carried unanimously.

2020 Municipal Elections

Resolution C200116

Being duly moved and seconded that the Provincial list of electors be used for the upcoming Municipal Elections.

Motion carried unanimously.

Resolution C200117

Being duly moved and seconded that the following fees be paid for the upcoming Municipal Elections:

Returning Officer - \$6,000.00  
Deputy Returning Officer - \$200.00 per day  
Poll Clerks - \$150.00 per day  
Training Session - \$50.00 per session  
Hall Rental - \$100.00 per day

Motion carried unanimously.

STAFF REPORT

The Chief Administrative Officer provided his report for the period November 27<sup>th</sup> to January 27, 2020.

Topics highlighted were as follows:

- New Recreation Centre
- Development of Assess Management Plan
- Improved Access to Internet
- Amenities at Beaches
- Continued Work Towards Additional Medical Services (Medical Clinic, Dialysis)
- Nova Scotia Lobster Crawl
- African Heritage Month
- 2020 Municipal Elections
- Building Permits & By-law Enforcement
- Fire Services

- Capital Project Update

Consideration of Amendments - Policy 59 “Policy on Committees of Council”

Notice of consideration was given at the Committee of the Whole Council Meeting held on December 2, 2019. Proposed amendments to Policy 59 “Policy on Committees of Council” include the following:

- Delete Nominating Committee
- Delete Hiring Committee
- Add Recreation Advisory Committee
- Add Heritage Advisory Committee
- No remuneration will be paid to non-council members except PAC until current terms expire.
- As a general rule, Form A will be required 7 days in advance to the meeting.
- Terms of Reference for RAC has been amended to provide for 1 representative from the Town of Clarks Harbour and the quorum has been increased to 5
- Mandate for the Committee of the Whole Council has been revised.
- Terms of Reference for the NS Marathon Committee has been included in policy.
- etc.

Resolution C200118

Being duly moved and seconded that amendments to Policy 59 “Policy on Committees of Council be approved as presented.

Motion carried unanimously.

First Reading - Proposed amendments to By-law No. 25 “Tax Exemption By-law”

It was reported that letters have been received from the Clyde Area Community Centre Association and the Barrington Leisure Park Association requesting tax exemptions under By-law No. 25 “Tax Exemption By-law”.

It is proposed that By-law No. 25 “Tax Exemption By-law” be amended by adding “Clyde Area Community Centre Association” to Schedule “A” and Barrington Leisure Park Association to Schedule “B”. It is further proposed that Schedule “C” be amended by removing “Port Clyde Volunteer Fire Department” as they no longer exist.

Resolution C200119

Being duly moved and seconded that proposed amendments to By-law No. 25 “Tax Exemption By-law” as outlined above, be approved in First Reading.

Motion carried unanimously.

First Reading - Proposed amendments to By-law 34 “Commercial Activity on Municipal Property”

It is proposed that By-law No. 34 “Commercial Activity on Municipal Property By-law” be amended to give authority to the CAO to approve applications submitted under this By-law.



Resolution C200120

Being duly moved and seconded that proposed amendments giving authority to the CAO to approve applications submitted under By-law No. 34 “Commercial Activity on Municipal Property” be approved in First Reading.

Motion carried unanimously.

Marathon Committee Member Resignations

It was reported that Adlai Cunningham and Cara Atkinson have both submitted letters of resignation resigning from their positions on the NS Marathon Committee.

The CAO reported that with the resignation of these two members, committee membership is currently at 15 which includes two council representatives.

Resolution C200121

Being duly moved and seconded that letters of thanks be forwarded to Adlai Cunningham and Cara Atkinson for their service on the NS Marathon Committee.

Motion carried unanimously.

Council for a Day Contest Winners

The Council for a Day Contest was open to all Grade 5 students attending schools in the Municipality of Barrington and the Town of Clarks Harbour (ERMES, Oceanview, CHES and FRA). Students were asked to submit their ideas for making Barrington an even better place to live.

Five (5) winners will spend time with the Warden and Council on February 24, 2020.

All five (5) winners will:

- Tour the Municipal Administration Centre.
- Enjoy supper with the Warden and Councillors.
- Participate in a Mock Council Meeting.
- Get a television interview with Eastlink.
- Win passes to the Arena/Swimming Pool.

A total of Twenty-Eight (28) submissions were received .

Winners of the Contest were:

- Chayne Newell - OCA
- Cooper Sears - ERMES
- Miles Beaulieu - FRA
- Katie-Anne McComiskey - ERMES
- Patrick Brannen - FRA

CORRESPONDENCE

No correspondence to report on.

AGENDA ITEMS FOR FUTURE MEETINGS

No items were brought forward.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

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Warden

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Chief Administrative Officer

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Secretary for the Meeting