

VICTORIA COUNTY MUNICIPAL COUNCIL
March 24, 2003

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 24, 2003, beginning at 5:30 p.m. with Warden Gerald Sampson in the Chair.

Present were:

District #1 – Dan E. MacNeil
District #2 – Shane Toms
District #3 – Bruce Morrison
District #4 – John Graham MacInnes, Deputy Warden
District #5 – Gerald Sampson, Warden
District #6 – Lawrence Barron
District #7 – Wayne Budge
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Sampson called the meeting to order.

APPROVAL OF AGENDA/TIME TO ADJOURN

The agenda was presented for approval. Warden Sampson indicated that an addition has been made to the agenda. Tom Wilson will be providing Council with a Broadband update.

It was moved by Deputy Warden MacInnes, seconded by Councillor Toms, that the agenda be approved and the time for adjournment be set at 6:40 p.m. Motion carried.

BROADBAND UPDATE

Courtesy of Council was extended to Tom Wilson, Director of Recreation and Tourism.

Mr. Wilson indicated that he had included an update on recreation, tourism and heritage in the Council binders for Council's information. The purpose of his attendance at today's meeting was to update Council on the Broadband project.

He indicated that the consultants, Jim Addicott and Ron MacNeil, were hired on March 3 and have done a great job to date. The Municipal Broadband Advisory Council has met with the consultants twice to review timelines, tasks, RFP and Broadband survey.

Mr. Wilson advised that a Broadband Survey would be undertaken in the next two weeks in partnership with Victoria County CAP Sites Association. Industry Canada requires a survey of businesses, institutions, and residents to determine the interest in having high speed Internet in Victoria County communities. The County's business plan must show sufficient interest by residents and businesses in order to attract technology carriers to bid on the Request for Proposals and bring high-speed Internet to communities in Victoria County.

Mr. Wilson distributed copies of the survey and requested Council Members to be the first to fill out and return these forms.

The first progress/milestone report by the consultants has been completed and signed off by Mr. Wilson who is the Project Leader.

Discussion took place and Mr. Wilson answered various questions with regard to the provision of high speed Internet in Victoria County.

Mr. Wilson was extended a vote of thanks for his report and he was excused at this time.

MINUTES

The minutes of the February 24, 2003, session of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that the February 24, 2003, Council minutes be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Cape Breton Island Housing Authority

At the previous meeting two names – John MacKillop and Diane MacEachern – were nominated to be the Victoria County representative on the Cape Breton Island Housing Authority Board. A decision was to be made at this meeting as to the one who fill this position.

Councillor Morrison and Deputy Warden MacInnes indicated they would resolve this issue and bring back a recommendation later in the meeting.

BOUNTY BAY MUSSEL FARM

Warden Sampson presented Council members with notes he took during a conversation with a representative from the Department of Fisheries and Oceans regarding the Bounty Bay Mussel Farm.

The Courts ruled that additional time be allocated for public consultation and at present copies of the *Canadian Environmental Assessment Act* Screening Report are available for public review and comment.

Council has previously gone on record as supporting Bounty Bay Fisheries Inc., in association with 5M Aqua Farms Ltd., in their application to obtain water leases to develop mussel farm sites in St. Ann's Bay. All Councillors when polled still indicated their support for the mussel farm operation.

It was moved by Deputy Warden MacInnes, seconded by Councillor MacLellan, that Council forward a letter to the Department of Fisheries and Oceans reiterating Council's unanimous support for the Bounty Bay Mussel Farm. Motion carried.

APPOINTMENT OF AUDITORS

Sandy Hudson advised that he requested proposals from four (4) accounting firms for the provision of accounting services for the Municipality. Two submissions were received – KPMG and Grant Thornton. The costs contained in KPMG's submission were \$16,000 for the current fiscal year, \$16,250 for 2003/04 and \$16,500 for 2004/05. Grant Thornton indicated costs of \$19,000 annually for the three years.

Mr. Hudson advised that Grant Thornton are presently undertaking a review of the Municipality's in house procedures and even though their cost is higher, he is recommending that Council engage Grant Thornton as our auditors. This firm is up to date on our systems, procedures and personnel and it would be in the Municipality's best interests to go with this firm.

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that Grant Thornton be engaged as our external auditors for the remainder on the current fiscal year, 2003/2004 and 2004/2005, effective immediately. Motion carried.

BOUNTY BAY MUSSEL FARM

Warden Sampson suggested that when the letter is written by the CAO concerning Bounty Bay Mussel Farm, copies be made available at the Tax Office or on the County website for any member of the public that should wish to view the letter.

COUNCIL COMMITTEES

Councillors were provided with copies of the existing Council Committees for review. At the previous meeting a discussion was held on consolidating various committees and revamping the present committee structure.

Council Members are to review this matter and bring back their recommendations with regard to Committees to a future Council meeting.

NEW BUSINESS/NOTICE OF MOTIONS

East Coast Credit Union

Sandy Hudson advised that the current agreement with the East Coast Credit Union, Baddeck Branch, expires on April 30, 2003.

It was moved by Deputy Warden MacInnes, seconded by Councillor Budge, that the East Coast Credit Union, Baddeck Branch, continue as the Municipality's financial institution until further notice. Motion carried.

Cabot Trail Relay

Councillor Morrison presented a notice of motion that at the next meeting of Council he would be introducing a motion that the Municipality continue its sponsorship in the Cabot Trail Relay for 2004 and this matter be referred to budget. The Municipality's sponsorship in the previous year was \$5,000.00.

Ambulance Service – North of Smokey

Correspondence received from Joe Doucette, Chief, Ingonish Beach Volunteer Fire Department, regarding the ambulance service for the northern area of the County was discussed. Previously there were two ambulances stationed in the area – one at Ingonish Beach and one at Cape North. At present there is one ambulance stationed in the Neil's Harbour area.

Councillor MacLellan advised of a situation that occurred on the weekend where the wait for an ambulance was over one hour. He indicated that he wanted to see the two ambulances reinstated.

It was moved by Councillor MacLellan, seconded by Councillor Barron, that a letter be forwarded to the Minister of Health and Emergency Health Services (EHS) requesting that the two ambulances that previously serviced the north of Smokey area be reinstated. Motion carried.

North Shore & District Volunteer Fire Department

Warden Sampson presented a letter he received from Nancy Smith, North Shore & District Volunteer Fire Department, concerning the condition of the roads, especially along the North Shore.

Deputy Warden MacInnes advised that he received a copy of this letter and is working with Charlie MacDonald, Department of Transportation, to obtain some answers in this regard.

This matter is to be tabled as information. The letter will be acknowledged and the fire department informed that Deputy Warden MacInnes will respond to these concerns on behalf of Council.

Ingonish Beach School Property

Councillor Barron brought up the matter of the Ingonish Beach School property. This property was to have been turned over to the municipality, but a wrong description was provided, so the property remains in the School Board's hands. Councillor Barron expressed concern that the building is in disrepair and children are playing in the area and could get hurt. The liability should any injuries occur was discussed.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that a letter be forwarded to the Superintendent of Schools, Cape Breton-Victoria Regional School Board, advising that as the Ingonish Beach School property is still their responsibility, they undertake work to secure the property before someone accessing the property gets hurt. Motion carried.

Former Dingwall School Property

Councillor MacLellan advised that an individual has expressed an interest in purchasing the former Dingwall School property from the Municipality. The Municipality owns the property and the school building has been demolished.

Any property sold by the Municipality must be put to tender. Sandy Hudson will investigate this property.

Speed Limit

It was moved by Councillor Morrison, seconded by Councillor Toms, that a letter be forwarded to Charlie MacDonald, Area Manager, DOT&PW, requesting that the traffic control officer investigate the speed limit for vehicles entering the Village of Baddeck from the east, along the Baddeck Bay Road, with the possibility of extending the lower speed limit from its present location to the Bay Pond. Motion carried.

Weight Restriction

Sandy Hudson advised the Baddeck Landfill operations has requested that application be made to the Department of Transportation to permit our solid waste collection to continue during the weight-restricted times. The Old Margaree Road has been designated as a weight-restricted roadway.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that a letter be forwarded to Charlie MacDonald, Area Manager, DOT&PW, requesting an exemption for weight restriction on the Old Margaree Road from the Trans Canada Highway to the Landfill Site, a distance of 1.9 km. Motion carried.

North Shore & District Volunteer Fire Department

It was moved by Deputy Warden MacInnes, seconded by Councillor Budge, that a letter be forwarded to Charlie MacDonald, Area Manager, DOT&PW, outlining the concerns addressed by the North Shore & District Volunteer Fire Department on the condition of the roads, especially along the North Shore, and suggest that he meet with representatives from the fire department to discuss these concerns. Motion carried.

Weight-Restricted Roads

It was moved by Councillor Barron, seconded by Deputy Warden MacInnes, that a letter be forwarded to Service Nova Scotia and Municipal Relations, Policy and Regulatory Affairs Division, requesting that Vehicle Compliance Officers check vehicles of a heavy nature for weight-restriction on secondary roads throughout Victoria County. Motion carried.

CORRESPONDENCE

1. Correspondence from Colin MacDonald, Planning Committee Member, concerning a "Tribute to Billy Joe". A tribute to Mayor Billy Joe MacLean will be held on Friday, June 6, 2003, at The Creamery in Port Hawkesbury. Dinner tickets are \$40 per person.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that the Municipality purchase a ticket for any Council Member wishing to attend this event. Motion carried.

2. Letter from the Honourable Tim Olive, Minister Responsible for the *Emergency Measures Act* advising that the Municipal Emergency Preparedness Evaluation for Victoria County's state of preparedness has been rated as "good".

Discussion took place on this matter and Sandy Hudson advised that our Emergency Measures operation requires reviewing in the near future.

3. Letter from Russ Waycott, Vice-President, Woodlands, Stora Enso, in reply to Council's letter concerning the hiring of contractors working on Stora Enso managed lands on the Highlands.

DRAFT POLICE ACT

Council met with the Unit Commanders from the Baddeck and Ingonish Beach RCMP Detachments on March 5, 2003, to review the Draft Police Act.

The UNSM plans to prepare a submission to the Department of Justice containing the comments of their membership. They have requested an extension of the April 1 deadline for submissions to May 1 and are requesting municipal units to provide their comments by April 15. From the comments received they will prepare a submission to forward to the Department of Justice prior to May 1, 2003.

Council members will be provided with a copy of the minutes of March 5, 2003, meeting held with RCMP representatives.

FIRE INSPECTIONS

It was moved by Councillor Morrison, seconded by Councillor MacNeil, that the Rural Cape Breton District Planning Commission be given the authority to carry out fire inspections for Victoria County. Motion carried.

RECESS

Warden Sampson advised that Council would recess for 10 minutes.

CAPE BRETON ISLAND HOUSING AUTHORITY

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that John MacKillop be appointed Victoria County's representative on the Cape Breton Island Housing Authority Board. Motion carried.

RECREATION SEMINAR REPORT

Deputy Warden MacInnes advised that he attended the Recreation Seminar for Elected Officials in Halifax on the weekend past and reported to those present on the Bay St. Lawrence Community Centre project and outlined its success. The Minister was in attendance on Saturday morning to speak to the delegates.

ADJOURN

It was moved by Councillor Barron, to adjourn to In Camera.

A. W. (Sandy) Hudson, CAO

Gerald E. Sampson, Warden