

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**September 12, 2005**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, September 12, 2005, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Dan E. MacNeil, Deputy Warden  
District #2 – Keith MacCuspic  
District #3 – Bruce Morrison  
District #4 – John Graham MacInnes  
District #5 – Fraser Patterson  
District #6 – Lawrence Barron  
District #7 – Wayne Budge, Warden  
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

**CALL TO ORDER**

Warden Budge called the meeting to order.

**APPROVAL OF AGENDA**

The agenda was presented for approval.

**It was moved by Councillor Morrison, seconded by Councillor MacLellan, that the agenda be approved as presented. Motion carried.**

**APPROVAL OF MINUTES**

The minutes of the August 29, 2005, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor MacCuspic, seconded by Councillor Patterson, that the August 29, 2005, minutes of Victoria County Municipal Council be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

- Sandy Hudson met with Union representatives concerning the Dog Controller position. The Union will go back to their membership with regard to this matter. In the interim, Barry Campbell, EMC, is the Acting Dog Controller.
- Discussions with the Village regarding the Gas Tax issue have not as yet taken place. The Village is meeting on Wednesday, September 14, 2005, and this topic will be addressed at the meeting.

**SOLID WASTE COLLECTION TENDER**

The current tender for solid waste collection expires on September 30, 2005. Tenders were called and Sandy Hudson advised that two tenders were received.

Dutch Brook Disposal Services Limited	\$1,722,125.00
Kilkare Transport Limited	\$4,293,800.00

Sandy Hudson advised that he met with the low tender, Dutch Brook Disposal Services Limited, today and they would like to withdraw from the tender, as they failed to add the HST on their total tendered price. He also indicated that he could not recommend acceptance of the high tender.

Mr. Hudson advised that the tender couldn't be re-issued. At this point, he indicated he was not in a position to recommend how to proceed.

Whether the Municipality could undertake this work themselves was questioned and will be considered.

As the contract expires at month end, it was felt that negotiations should commence with the present contractor to extend the contract.

Wayne MacKenzie addressed Council and indicated that over the past two years, Kilkare Transport Limited has been losing money on the municipal solid waste collection contract. The cost of fuel and the present fuel escalation clause in the contract were discussed and are a great concern. A spreadsheet outlining Kilkare's costs was presented and Mr. MacKenzie indicated that they felt their tender submission was fair.

At any given time, Kilkare has 15 employees involved in solid waste collection. The fact that they are a Victoria County company, employing Victoria County residents, was stated.

It was felt that a Public Works Committee meeting should be held in the near future to deal with this matter.

**It was moved by Councillor Morrison, seconded by Councillor Barron, that neither tender received for solid waste collection be accepted. Motion carried.**

**It was moved by Councillor Patterson, seconded by Councillor MacCuspig, that the solid waste collection issue be referred to the Public Works Committee. Motion carried.**

A meeting of the Public Works Committee will be held on Monday, September 19, 2005, at 5:00 p.m.

**VARIOUS EARTHWORKS TENDER**

Tenders were called for various earthworks at the Baddeck Municipal Solid Waste Transfer Station. The work included the installation of a well site, on-site sewage site and a compost pad.

Sandy Hudson advised that four (4) tenders were received, as follows:

D. W. Matheson & Sons Contracting Ltd.	\$52,750.00 plus HST
Barra Construction Limited	\$59,000.00 plus HST
Leo Fownes Trucking and Contracting	\$62,000.00 plus HST
A. J. MacLeod Construction Ltd.	\$99,000.00 plus HST

**It was moved by Councillor MacInnes, seconded by Councillor MacNeil, that D. W. Matheson & Sons Contracting Ltd. tender in the amount of \$52,750.00 plus HST, the low tender, be accepted. Motion carried.**

At some point in the future, the scale will have to be moved and relocated to the area closer to the road.

**COMMITTEE APPOINTMENTS**

Sandy Hudson advised that Wayne Crawford has expressed an interest in serving on the Municipal Tourism Committee. John Berk has not as yet advised on the Committee he wishes to serve on. Jim Morrow has expressed interest in again serving on the Municipal Development Committee. Councillor Morrison and MacCuspig indicated that Athol Grant has agreed to serve on the Planning Advisory Committee.

**It was moved by Councillor Morrison, seconded by Councillor Patterson, that Wayne Crawford be appointed to the Tourism Committee; Jim Morrow to the Development Committee and Athol Grant to the Planning Advisory Committee. Motion carried.**

**NEW BUSINESS**

**Emergency Measures**

A Basic Emergency Management Training Event will take place in Baddeck on November 29, 30 and December 1, 2005. The EMO Coordinator is requesting a good representation from Victoria County as it is being held in the County. Application forms were distributed to Council and if interested, they are to be completed and returned for submission.

**Ingonish Water Supply**

A public meeting will be held at St. Peter's Parish Hall, Ingonish, on Thursday, September 15, 2005, at 6:30 p.m. regarding the Ingonish Water Supply project.

**Sentencing – Former CAO Brian Trask**

Councillor Morrison brought up the matter of the recent sentencing of former CAO, Brian Trask. Both Council and the public have expressed concern and displeasure on the lightness of the sentence.

**It was moved by Councillor Morrison, seconded by Councillor Barron, that a letter be forwarded to the Honourable Michael Baker, Minister of Justice, outlining the concern and displeasure with regard to Brian Trask's recent sentencing and the CAO prepare a press release for publication in the media on this matter. Motion carried.**

**DISTRICT CONCERNS**

**District #3**

Councillor Morrison requested that a letter be forwarded to Charlie MacDonald, Department of Transportation, requesting that "No-Littering" signs be posted on the Plaster Mines Road, Baddeck Bay.

**District #2**

**It was moved by Councillor MacCuspig, seconded by Councillor Morrison, that \$1,400 be approved from the District #2 budget for the Middle River Hall. Motion carried.**

Councillor MacCuspig indicated that as all Council members were present, he would again like to address the request from Xanadu Investments.

**It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that due to extenuating circumstances, the bill issued by the Municipality to Xanadu Investments for accepting contaminated soil at the Baddeck Landfill be reduced by 40%.**

Discussion took place on this matter and Council members expressed their opinions on this matter.

**Those voting in favour of the motion were Councillors Morrison, MacCuspic, MacLellan and Deputy Warden MacNeil.**

**Those voting against the motion were Councillors MacInnes, Patterson, Barron and Warden Budge.**

**As a tie vote constitutes defeat, the motion was defeated.**

**District #1**

**It was moved by Deputy Warden MacNeil, seconded by Councillor MacLellan, that a road name change from the Washabuck Road in Estmere to the Rear Estmere Road be accepted and forwarded to the Rural Cape Breton District Planning Commission and the Department of Transportation for approval. Motion carried.**

Warden Budge, on behalf of Council, welcomed Deputy Warden MacNeil on his return to Council after his illness.

**District #5**

Councillor Patterson indicated that the Citizens Against Strip Mining are holding a meeting on Wednesday, September 14, 2005, at the Millville Community Hall. He will attend this meeting.

Councillor Patterson also advised of discussions with Doug Foster, CBRM Planning Department, regarding this issue.

Councillor Patterson indicated that he received some concern over the Boularderie RCMP Community Policing Office located in Boularderie School. RCMP presence is never felt in this office. Discussion took place on short staffing in the Baddeck Detachment and how this is affecting the Boularderie area. It was indicated that Sgt. Mike Bezanson, Baddeck Detachment, is to return to work today after a number of months of sick leave.

The status of the Solid Waste Education Campaign was questioned and Sandy Hudson advised that a brochure would be mailed to all households in Victoria County by the 3<sup>rd</sup> week of September. A new education person has been hired to replace Cheryl Smith and she is located in an office in Port Hood.

**It was moved by Councillor Patterson, seconded by Councillor MacInnes, that \$1,000 be approved from the District #5 budget for the Big Bras d'Or Fire Hall Committee. Motion carried.**

**District #8**

Discussion took place on a recent article in the *Cape Breton Post* concerning an additional ambulance for the northern area of the County.

**It was moved by Councillor MacLellan, seconded by Councillor MacInnes, that a letter of support for the residents in their quest for additional ambulance service North of Smokey be provided and it be requested that the current ambulance coverage area for the northern area be increased to include the North Shore and Pleasant Bay areas. Motion carried.**

**ADJOURN**

**There being no further business, on motion of Councillor MacInnes, seconded by Councillor Patterson, the meeting adjourned.**

**A. W. (Sandy) Hudson, CAO**

**Wayne Budge, Warden**

