

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**May 25, 2009**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, May 25, 2009, beginning at 5:00 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #1 – Paul MacNeil  
District #2 – Keith MacCuspic  
District #3 – Bruce Morrison, Warden  
District #4 – Merrill MacInnis  
District #5 – Fraser Patterson, Deputy Warden  
District #6 – Larry Dauphinee  
District #7 – David Donovan  
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

**CALL TO ORDER**

Warden Morrison called the meeting to order.

**APPROVAL OF AGENDA**

The agenda was presented for approval. Warden Morrison advised that the Pitu'paq Committee presentation scheduled for this evening has been cancelled and will be rescheduled for a future meeting. Councillor MacNeil also requested that the Broadband Solutions for Rural Development Final Report be added to the agenda.

**It was moved by Councillor MacLellan, seconded by Deputy Warden Patterson, that the agenda be approved with the noted change and addition. Motion carried.**

**APPROVAL OF MINUTES – APRIL 20, 2009**

The minutes of the April 20, 2009, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor MacInnis, seconded by Councillor MacLellan, that the Victoria County Municipal Council minutes of April 20, 2009, be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Victoria County Website**

Deputy Warden Patterson questioned on the status of the website redevelopment. Sandy Hudson advised that the proposals received were all rejected and a decision was made to go with the Association of Municipal Administrator's Municipal Website Venture.

The AMA Municipal Website Venture has developed websites for 36 municipalities to date. An outline of the development of the website will be provided by the end of the week and the process is moving forward.

**Integrated Community Sustainability Plan (ICSP)**

Jacques Whitford Stantec has been retained to carry out the Integrated Community Sustainability Plan (ICSP) for the Municipality. They commenced work last week and met with the CAO and Warden to discuss their development plan. They will be coming to Council on June 15, 2009, to outline the process to Council.

**SILVER DART CENTENNIAL COMMITTEE UPDATE**

Courtesy of Council was extended Eleanor Anderson, Project Manager, and Shane MacFarlane, Chair, of the Silver Dart Centennial Committee.

On behalf of the Silver Dart Centennial Committee, Shane MacFarlane made a presentation of a framed picture of the Silver Dart replica in flight to Warden Bruce Morrison. Mr. MacFarlane expressed appreciation for the support Council has provided.

Ms. Anderson presented cards outlining the program of events for the Youth in Aviation Week from June 14-21, 2009. She indicated that the events this year are focused on the celebrations; however, the legacy project is also a priority that is never forgotten. This will be an expansion to the AG Bell Museum that will house the Silver Dart replica. The replica has been gifted to the community by the builders.

Ms. Anderson indicated that in excess of \$500,000.00 was spent in the community during the February celebrations. She outlined some of the activities that will be taking place in June. The Centennial Collection of Aviation Artwork can be viewed daily at the AG Bell Museum until the end of June.

The CF-18 cockpit flight simulator will return for another visit. It will be located under a tent at the AG Bell Museum. There will also be a star party on the roof of the AG Bell Museum to view the night sky where a member of the Royal Astronomical Society will assist the public in identifying the constellations.

The Welcome Centre will again be operating at the Baddeck Community Centre and will have some new features. The CBU Starlab will be on site and a trained interpreter will provide guided tours for all ages. The Guinness World Record Holder for the longest flight for paper airplanes will be in attendance teaching how to make paper airplanes.

Tuesday, June 16, 2009, will see a Silver Dart Centennial Youth Art Exhibit at St. Michael's Hall and a free public reception, Flight Suit Night, will be held at the Silver Dart Lodge.

Wednesday, June 17, 2009, is the main event. The Silver Dart Centennial Air Show featuring the Canadian Snow Birds, the Hawk One and more will take place. A street party will take place on Water Street that evening with ECMA winning bands, followed by a Silver Dart Centennial Fireworks display.

On Friday, June 19, 2009, the Silver Dart Centennial Concert featuring George Canyon and Tara Oram will be held at the Victoria Highland Civic Centre. The Silver Dart Ball will take place on June 20, 2009, at either the Bell Bay Golf Club or the Inverary Resort.

The Canadian parachuting team, The Sky Hawks, will perform on July 9, 2009. July 27-28, 2009, the John Lovelace Cross Canada Century Flight will be coming to Cape Breton. 100 planes will be coming to Sydney and an event will be hosted in Baddeck in conjunction with the flight.

August 16-22, 2009, is Aviation Week at the AG Bell National Historic Site.

Ms. Anderson advised that a Public Information Session on the summer activities will be held at the Baddeck Community Centre on June 6, 2009. After further discussion, Mr. Anderson and Mr. MacFarlane were extended a vote of thanks for their presentation and they were excused at this time.

**RECESS**

Warden Morrison advised that Council would recess for five minutes.

**BADDECK VETERINARY CLINIC**

Courtesy of Council was extended to Dr. Mari Thom, Veterinarian, and Sandy, Clinic Manager, from the Baddeck Veterinary Clinic.

Concerns with regard to a recent incident where a stray dog, 3 cats and 3 kittens were picked up by the Dog Controller and taken to the Baddeck Veterinary Clinic were discussed. If owners are not found, the animals are automatically euthanized and no one wants to see this happen to the animals.

The Dog By-Law outlines the procedures to follow; however, it does not provide adequate thought to what is done with the animals when they are picked up.

The Clinic attempts to re-home these animals, but have had to euthanize a number of animals taken to them. They have a concern with regard to space, staffing and the possibility of disease that could be transferred to their paying customer's animals. They felt there should be a separate facility for these animals.

As far as cats go, there is no by-law in effect with regard to cats. Dr. Thom indicated that it would be helpful to find out what other municipalities do in this regard. Sandy Hudson expressed concern on what can be done with cats at present as the Municipality has no authority to apprehend cats.

Another issue is the numbers of dogs in Wagmatcook and whether there was a program that could enable dogs to be spayed to prevent a further increase in the dog population in this area.

It was felt that public awareness is necessary to ensure that pet owners know their responsibilities with regard to pet ownership. Council felt that public education on responsible pet ownership could be something the Municipality could assist with. This would be a proactive measure.

Sandy Hudson will work with representatives from the Baddeck Veterinary Clinic to come up with an appropriate public service announcement with regard to the responsibilities of pet owners in Victoria County.

Warden Morrison extended a vote of thanks and Dr. Thom and Sandy were excused at this time.

### **NEW BUSINESS**

### **NEIL'S HARBOUR COUNCIL SESSION**

The June 15, 2009, session of Victoria County Municipal Council will be held at St. Andrew's Parish Hall, Neil's Harbour, on Monday, June 15, 2009, at 5:00 p.m. A

presentation from Stantec who are developing the Municipality's ICSP Plan will take place, as well as a presentation from the Gaelic College concerning a proposal for expansion.

**BROADBAND**

Councillor MacNeil presented the final report of the Broadband Solutions for Rural Development for Victoria County. It is a sustainable five year plan that focuses on what is already good in Victoria County and outlines recommendations to specific activities in the County that should be continued, enhanced or expanded (copy attached).

**It was moved by Councillor MacNeil, seconded by Councillor Donovan, that the 5-year strategy for Broadband Solutions for Rural Development in Victoria County be approved. Motion carried.**

**CORRESPONDENCE**

1. Letter from Kate Oland, Baddeck Public Library, requesting air conditioning for the library building.

**It was moved by Deputy Warden Patterson, seconded by Councillor MacCuspie, that a letter be forwarded to the Baddeck Public Library advising that before consideration is given to this request, written confirmation be received from the Baddeck Volunteer Fire Department, owners of the building, indicating their agreement to the location of air conditioning equipment and associated cost to their electrical bill for the building. Motion carried.**

2. Letter from Shauna Asaph, Treasurer, Cabot Trail Relay Association, requesting financial support for the 22<sup>nd</sup> annual race on May 23-24, 2009.

\$5,000.00 is included in the municipal budget annually to assist in the race and the funding will be forwarded to the Cabot Trail Relay Association.

Concern was expressed on the race and the fact that some of the runners and support vehicles did not follow the race rules. Traffic tie-ups were evident in various areas.

**It was moved by Councillor Donovan, seconded by Councillor MacLellan, that a letter be forwarded to the Cabot Trail Relay Association outlining Council's concern that some of the runners and support vehicles did not abide by the race rules, there was no concern for the public and traffic was held up for considerable periods of times in certain areas, especially Legs 6, 7, and 17. Motion carried.**

Lyle Donovan also expressed concern that non-emergency vehicles were using emergency lights during the Cabot Trail Relay Race and this is a safety issue.

**It was moved by Councillor Donovan, seconded by Councillor MacLellan, that a letter be forwarded to the Cabot Trail Relay Association expressing concern with the use of emergency lights on non-emergency vehicles in conjunction with the Cabot Trail Relay Race. Motion carried.**

3. Letters approving the name “White Birch Hill” for Private Road 6015(P) were received from the Eastern District Planning Commission and the Department of Transportation and Infrastructure Renewal. The Department of Transportation and Infrastructure Renewal suggested that the suffix “road” be added to the name.

**It was moved by Councillor Dauphinee, seconded by Councillor MacInnes, that Council approve that Private Road 6015(P), Ingonish Beach, be named “White Birch Hill Road”. Motion carried.**

4. A request was received from the Early Childhood Resource Centre that the month of June be proclaimed “Child Care Awareness Days” month in Victoria County.

**It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that June be proclaimed “Child Care Awareness Days” month in the Municipality of the County of Victoria. Motion carried.**

5. Letter from Pat Bates, Chairman, Bras d’Or Stewardship Society, requesting Council to give consideration to implementing all or most of the appropriate recommendations contained in the EDM Report.

**It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that this matter be referred to the Victoria County Municipal Community Development Committee for consideration. Motion carried.**

6. Letter from the Honourable Bill Dooks, Minister of Tourism, acknowledging receipt of Council’s letter of support for the implementation of the recently developed Cape Breton Island Marketing Strategy.
7. Letter from Ed Davis, Superintendent, Cape Breton-Victoria Regional School Board, advising that due to a meeting conflict, he is unable to attend Council on June 15, 2009.

Councillor MacInnis questioned on the correspondence received from Scouts Canada concerning assistance for their provincial jamboree at Camp Carter in July. This

correspondence was sent to 4 Council members for consideration out of their district budget funds.

**DISTRICT CONCERNS**

**District #1**

Councillor MacNeil indicated that he is receiving phone calls with regard to extension of the waterline approximately 1 km from where it ends to George Maher's residence. An approximate cost would be \$100,000.00. The extension would include 5 homes.

There was no money left over from the extension project and there are a number of other projects identified on the Municipality's priority list.

**It was moved by Councillor MacNeil, seconded by Deputy Warden Patterson, that this matter be referred to budget discussions with regard to infrastructure to see what can be done and the residents in question are to be contacted to determine if they would be willing to assist financially towards the cost of the installation of the extension. Motion carried.**

Councillor MacNeil advised that he was contacted by the former solid waste contractor, concerning the collection contract that will expire in December, 2009. He expressed an interest in tendering on the contract and requested a meeting with Council to discuss same.

The Municipality is investigating taking over the responsibility for solid waste collection and have advised the public of this possibility. It was suggested that an information release explaining this option be published in the *Victoria Standard* and a request be made that those interested in this issue submit a written proposal to the Municipality.

Councillor Donovan expressed concern on the possible loss of jobs in the northern area of the County should the Municipality undertake solid waste collection. The location of jobs and equipment should the Municipality assume this service has not been decided.

**It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that an information release be published outlining options with regard to solid waste collection and advising that written submissions on the topic of solid waste collection will be received up until June 15, 2009. Motion carried.**

This matter is to be referred to the Public Works Committee for a decision. The Public Works Committee is to also look into the location of staffing and equipment should the Municipality assume solid waste collection. The date for the Public Works Committee meeting will be set at the June 15, 2009, Council session.

**It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that a street light to be located on a pole by the Barra Food Bank, Iona, be approved from the District #1 budget. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that \$1,000.00 be approved from the District #1 budget for the 100<sup>th</sup> Anniversary of the Washabuck Church. Motion carried.**

**District #2**

Councillor MacCuspic questioned on what the problem is with the excavator at the Baddeck Solid Waste Transfer Station facility.

Sandy Hudson advised that it is too costly to keep repairing and it is less expensive to rotate rentals of excavators locally.

**It was moved by Councillor MacCuspic, seconded by Councillor Dauphinee, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that a street light be located at MacLennan's Cross Bridge, Middle River. Motion carried.**

Councillor MacCuspic questioned on derelict vehicle removal. He has a number of vehicles in his area that require removal. He was advised to contact Robert Dauphinee in this regard.

**District #4**

Councillor MacInnis questioned if other Councillors have seen Department of Transportation and Infrastructure Renewal road crews undertaking work, as they are not evident in his district.

Councillor MacInnis questioned on when fire departments would receive the first installment of their funding from the Municipality. He was advised that funds would be released when tax money starts coming into the Municipality.

**District #5**

Deputy Warden Patterson indicated that the topic of heavy garbage collection is becoming more of an issue throughout the Municipality and he felt that it should be done annually in all districts.

He indicated that at his request, Robert Dauphinee has arranged to have a collection undertaken by Dutch Brook Disposal in District #5 that he will pay for from his District #5 budget funds. He requested that his appreciation be conveyed to Mr. Dauphinee for arranging the collection.

The matter of an annual heavy garbage collection is to be forwarded to the Public Works Committee for review and consideration.

**District #8**

Councillor MacLellan expressed concern with regard to the condition of the ditches in his District.

**It was moved by Councillor MacLellan, seconded by Councillor MacInnis, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that attention be given to the ditches of the roadways throughout the Municipality prior to the tourist season. Motion carried.**

**District #7**

Councillor Donovan expressed concern with regard to the loss of teaching positions in the 2 elementary schools North of Smokey. Parents are looking for, and not receiving, answers to their concerns.

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that a letter be forwarded to Ed Davis, Superintendent of the Cape Breton-Victoria Regional School Board, requesting that an explanation be provided on the loss of the teaching positions in Northern Victoria County. Motion carried.**

Councillor Donovan questioned whether any further information was received on affordable housing issue brought up at Council at an earlier session. Sandy Hudson advised that he has been provided with the name of an individual at CMHC and will be in contact with her regarding assistance for a feasibility study on housing in the Neil's Harbour and North Shore-St. Ann's areas of the County.

Councillor Donovan expressed his concern and displeasure with regard to the Neil's Harbour/New Haven Water System upgrade. He attended a meeting the day after he was elected Councillor with regard to finding an alternate source of water to increase capacity on the system. He was advised that nothing will be in place for this summer season.

Sandy Hudson advised that the project is proceeding and that there are procedures and hurdles to be followed with the Department of the Environment before anything can be done.

Councillor Donovan indicated he wished the minutes to reflect his displeasure with the speed in which this matter has moved forward.

**District #6**

Councillor Dauphinee expressed appreciation, on behalf of the Theatre on the Hill, for the financial assistance provided by the Municipality.

Councillor Dauphinee presented a petition to have Private Road 6020(P) named "Pines Estate Road".

**It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that the petition to have Private Road 6020(P) named "Pines Estate Road" be forwarded to the Department of Transportation and Infrastructure Renewal and the Eastern District Planning Commission for their consideration. Motion carried.**

Councillor Dauphinee brought up that matter of the unsightly premises located at 62 Maplewood Drive, Ingonish. A follow up will be done with the Eastern District Planning Commission in this regard.

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the street light located at the end of Dunphy's Road be relocated to the pole marked with tape on Dunphy's Road, Ingonish Beach. Motion carried.**

**It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that \$1,000.00 be approved from the District #6 budget to assist Ski Cape Smokey with their federal student works program. Motion carried.**

Councillor Dauphinee indicated that there will be a "Walking for Wildlife Weekend" held on June 13-14, 2009. The entry fee is \$5 per person or \$15 per team and he requested any Council members who might wish to participate to contact him.

**District #3**

Deputy Warden Patterson assumed the Chair.

Warden Morrison advised that the Annual meeting of the Victoria County Memorial Hospital Foundation will be held at the Board Room at the hospital on June 3, 2009 at 7:00 p.m. Councillors within the hospital's catchment area are requested to attend.

Warden Morrison advised that the UNSM have expressed their appreciation for the hospitality extended during the UNSM Spring Workshop held at the Keltic Lodge. The comments received from those attending were very positive.

Warden Morrison assumed that Chair.

**COMMITTEE APPOINTMENTS**

**It was moved by Councillor Donovan, seconded by Councillor MacLellan, that Ray Fraser be appointed to serve on the Victoria County Municipal Tourism Committee. Motion carried.**

**It was moved by Councillor MacLellan, seconded by Councillor MacInnis, that Rob MacDonald be appointed to serve on the Victoria County Municipal Tourism Committee. Motion carried.**

**It was moved by Deputy Warden Patterson, seconded by Councillor MacCuspic, that Diane Timmins be appointed to serve on the Victoria County Municipal Broadband Committee. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor Donovan, that Rodney Chaisson be appointed to serve on the Victoria County Municipal Tourism Committee. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor Dauphinee, that Gerard MacNeil be appointed to serve on the Victoria County Municipal Broadband Committee. Motion carried.**

**NEXT MEETING**

A meeting of the Victoria County Municipal Community Development Committee and Council will be held on Monday, June 1, 2009, at 5:00 p.m. at which time the draft strategic plan will be presented.

**ADJOURN**

**There being no further business, on motion of Deputy Warden Patterson, seconded by Councillor MacInnis, the meeting adjourned at 7:30 p.m.**

Bruce Morrison, Warden

Sandy Hudson, CAO

