

VICTORIA COUNTY MUNICIPAL COUNCIL
October 18, 2010

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, October 18, 2010, 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

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and presented the agenda for approval.

It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that the agenda be approved as presented. Motion carried.

ACAP CAPE BRETON

Warden Morrison extended the courtesy of Council to Bruce Young, ACAP Cape Breton, who was in attendance to make a presentation on the ACAP Cape Breton's programs (copy attached).

ACAP Cape Breton is one of 16 Atlantic Coastal Action Program sites in Atlantic Canada. ACAP Cape Breton is a non-profit charitable community organization, established in 1992. The original mission was to develop a comprehensive ecosystem management plan for the watershed area of industrial Cape Breton. It has grown into a dynamic group that integrates environmental, social and economic factors into projects focusing on action, education and ecosystem planning.

Mr. Young provided Council with an overview of the funding partners. He indicated that ACAP Cape Breton generates \$2 million dollars annually to the Cape

Breton economy. It is the only non-governmental organization addressing habitat destruction. They only advocate the best information for better decision making, work on alternative energy projects and are capacity builders – one of the few local science fieldwork opportunities.

ACAP Cape Breton is governed by a Board of Directors. He outlined the staff makeup to Council. Mr. Young indicated that he is a Certified Energy Manager and has been with ACAP Cape Breton since 2002. Their offices are located at 582 George Street, Sydney.

The top ten list of ACAP Cape Breton includes:

- Electronic exchange
- Energuide for houses
- Environmental home assessment
- Science and monitoring
- Active transportation
- Climate change
- Education and awareness
- Toilet rebate and showerhead swaps
- Centre for Sustainable Communities
- Community involvement

Mr. Young provided a brief outline of all the programs.

A general discussion took place and Mr. Young answered various questions of Council. All ACAP Cape Breton's services are available to all of Cape Breton Island.

Warden Morrison extended a vote of thanks on behalf of Council to Mr. Young for his presentation and he was excused at this time.

VACATE THE CHAIR

Warden Morrison then vacated the Chair.

APPOINTMENT OF WARDEN

Sandy Hudson, CAO, assumed the Chair. He advised that the next item on the agenda was the appointment of Warden. In accordance with the Municipal policy adopted in 2001, the term of Warden is a two year term that expires on the second anniversary following the previous Municipal Election. The current term is now expired.

Councillor Dauphinee expressed his displeasure with the process. As a first time Council member, he was unaware that this policy existed and felt Council should have been provided with more notice. They should have received a notice at the last Council meeting, instead of less than a week's notice when the agenda was received. He feels the whole process is rushed and awkward and wanted his concerns included in the minutes.

Councillor MacNeil indicated that he would have liked to see a full slate of Council before electing a new Warden.

In keeping with the policy, Sandy Hudson advised that nominations would be received for the office of Warden.

It was moved by Councillor MacCuspic, seconded by Councillor Donovan, that Bruce Morrison be nominated for the office of Warden.

Sandy Hudson called three times for further nominations.

It was moved by Councillor MacNeil, seconded by Councillor Donovan, that nominations cease.

Sandy Hudson advised that Bruce Morrison is elected as Warden for the remaining two year term.

Sandy Hudson then administered the Oath of Allegiance and Of Office to Warden Morrison.

OATH OF ALLEGIANCE AND OF OFFICE

I, Bruce Morrison, do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law.

And that I am duly qualified as required by law for the office of Warden for the Municipality of the County of Victoria.

And that I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.

And that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office.

Signed: Bruce Morrison

Warden Morrison assumed the Chair and thanked Council for their support.

APPOINTMENT OF DEPUTY WARDEN

Warden Morrison advised that the term of the Deputy Warden is also expired and advised that the appointment of Deputy Warden was the next item on the agenda. He then opened the floor to nominations.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that David Donovan be nominated for the office of Deputy Warden.

It was moved by Councillor MacCuspic, seconded by Councillor MacInnis, that Fraser Patterson be nominated for the office of Deputy Warden.

Warden Morrison called three times for further nominations.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that nominations cease.

Council was advised that voting would be by secret ballot. Sandy Hudson distributed and collected the ballots.

He advised that seven (7) ballots were cast and the results were four (4) votes in favour of Fraser Patterson and three (3) votes in favour of David Donovan.

It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that the ballots be destroyed. Motion carried.

Warden Morrison advised that Fraser Patterson is elected as Deputy Warden for the remaining two year term.

Warden Morrison then administered the Oath of Allegiance and Of Office to Deputy Warden Fraser Patterson.

OATH OF ALLEGIANCE AND OF OFFICE

I, Fraser Patterson, do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law.

And that I am duly qualified as required by law for the office of Deputy Warden for the Municipality of the County of Victoria.

And that I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.

And that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office.

Signed: Fraser Patterson

Deputy Warden Patterson expressed his thanks to Council for re-electing him to the office of Deputy Warden.

RECESS

Warden Morrison announced that Council would recess for five minutes.

RCMP UPDATE

Courtesy of Council was extended to Staff Sgt. Arch Thompson, RCMP, who was in attendance to provide an update on the RCMP in Victoria County.

Staff Sgt. Thompson indicated that every district must do an annual performance plan and he advised that the targets set for this district for this year have been met and they continue to work on all areas included in the plan.

Staff Sgt. Thompson outlined some of the activities being conducted by the RCMP. They continue to work with the youth in the Wagmatcook area and have plans to focus on the seniors within Victoria County now that the busy summer season is behind.

Cpl. Dave Lilly, Millbrook Detachment, is the Project Manager for the False Alarm Strategy for H Division, Nova Scotia. Staff Sgt. Thompson and Sandy Hudson met with Cpl Lilly on this matter recently. The goal is to develop a strategy for police response in relation to false alarms through a consultative process with all stakeholders. Staff Sgt. Thompson indicated that a large amount of time is spent responding to false alarms where no crime is committed.

Staff Sgt. Thompson indicated that he would be providing Council members with a copy of the report prepared by Cpl Lilly for their review. One area discussed in the report is that police not be dispatched and do not respond to alarms until such time the alarm is confirmed. Discussion took place. Cst. Adam Peter Paul entered the meeting with copies of the report for Council's review and he was introduced to Council.

Councillor MacNeil indicated that break and enters in his district declined in the late spring, but have picked up again in later summer. Staff Sgt. Thompson indicated that a couple of individuals have been charged for offences in this area.

Councillor Dauphinee questioned on whether any plans were being made within the Ingonish Beach Detachment with regard to Halloween. Staff Sgt. Thompson indicated they are ramping up their resources and will be in the area for three (3) nights – October 29, 30 and 31.

Councillor Donovan questioned whether impaired driving charges are up in the County this year. A number of individuals are being charged with impaired driving and this is a credit to the members of the Ingonish Beach Detachment.

Councillor Dauphinee advised that the summer was relatively quiet in the Ingonish area, but since the past week loitering and mischief have been increasing and the seniors in the area are now scared in their own homes. They are hesitant to contact the RCMP for fear of retaliation. He would like to see the RCMP spend more time in the area. Staff Sgt. Thompson indicated that as of Friday, they have a new unmarked car and this can be brought up to the area for the Halloween period.

Deputy Warden Patterson advised that he understands Staff Sgt. Thompson will be leaving the area and expressed his pleasure on working with him over the past number of years and wished him the best. Staff Sgt. Thompson appreciated the comments and advised that he enjoyed his time in Baddeck.

Warden Morrison indicated that he attended a session on possible amendments to the *Police Act* and questioned Staff Sgt. Thompson on how he viewed the proposed changes.

The Wagmatcook policing issue was addressed and as of April 1, 2010, a 4th member has been assigned for a two year position. Sgt. Mike Towle is the member in charge. They have an office in Wagmatcook for the 4 members and a ½ time Clerk.

For the most part the Victoria County District is operating a full strength. One member is currently on parental leave, but there is a surplus member who is available to the area.

Warden Morrison expressed his pleasure on working with Staff Sgt. Thompson over the past years and thanked him for the cooperation received.

Staff Sgt. Thompson was excused at this time.

APPROVAL OF MINUTES – SEPTEMBER 27, 2010

The minutes of the September 27, 2010, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Deputy Warden Patterson, seconded by Councillor MacNeil, that the Victoria County Municipal Council minutes of September 27, 2010, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Negotiations

Sandy Hudson advised that negotiations between the Municipality and CUPE Local 2694 have ended and the matter will be going to conciliation on November 24, 2010, in Sydney.

Money Point Lighthouse

No response has been received with regard to this matter.

Chief Fire Officers

Sandy Hudson met with Greg Organ and Scott MacKinnon, representatives of the Chief Fire Officers Association, with regard to funding and the proposal for a fire study.

Sandy Hudson questioned on the issue of the extra municipal funding and he was advised that two sets of high angle rescue equipment were to be purchased and the remaining funding was to be divided between the fire departments (\$3,000.00 for each department) to be used towards the purchase of communications equipment. The departments were to purchase the equipment and submit their bills for reimbursement. Ernest Roberts has all the bills in his possession.

Discussion took place on the training fund and whether this funding was to be replenished as it was allocated. The emergency fund was discussed and fire departments can borrow from this fund, but they agree to pay back the amount borrowed, so this fund does replenish.

Larry Dauphinee and Keith MacCuspig were appointed as Council representatives on a Joint Committee with the fire services. They have never been invited or attended a meeting since their appointment. Clarification is to be obtained on the mandate of this committee.

The three (3) fire study proposals were reviewed and the proposal felt to be best suited is the Marathon Human Resources proposal.

Victoria County Website

The status of the Victoria County website was discussed and it was indicated Tom Wilson has just returned to work today. He will be contacted in this regard and there is a possibility of incorporating the website into the new IT System that is presently being investigated.

Victoria County Welcome Signs

The Department of Transportation and Infrastructure Renewal have not been contacted as yet with regard to welcome signs for Victoria County.

Tax Sales

All properties have been forwarded to the Solicitor for searching. At this point, a tax sale will be scheduled for January, 2011. It is anticipated that two additional tax sales will be held approximately June and October, 2011.

POLICY REVIEW

There are no policies to be reviewed at this time.

COMMITTEE REPORTS

Deputy Warden Patterson and Councillor Donovan attended an Energy Asset Mapping Workshop in Dartmouth last week and provided Council with a report of the information received at the workshop.

Alternate energy was a topic of discussion and the Strait-Highlands Regional Development Authority were in attendance and showed a map of resources in their jurisdiction and indicated that one resource outside their jurisdiction was Seal Island, Victoria County. It was felt that we should be looking to the future in this regard.

The Nova Scotia Power Alternate Energy Coordinator is to be contacted to find out what they would require to purchase power generated and it was also felt that Debbie Nielsen, UNSM Sustainability Coordinator, should be contacted.

Councillor MacCuspig indicated that he recently attended a Climate Change Conference in PEI. He advised that a one day event is being organized in Cape Breton. All Councils and Chiefs will be invited to this event and it will also assist in raising the profile of the Pitu'paq Committee which has not been as active as in the past.

The status of the Bras d'Or Lake Biosphere Reserve Designation application was discussed. It has been approved at the Canadian level and is now before the United Nations.

Warden Morrison advised that he attended a meeting at the Cape Breton Partnership where discussion took place on a Cape Breton approach to economic development. It was also indicated that ECBC will be holding a public meeting on October 20, 2010 at 7:00 p.m. at the Membertou Convention Centre, to enhance public understanding of its mandate and activities.

DISTRICT CONCERNS

District #5

It was moved by Deputy Warden Patterson, seconded by Councillor Dauphinee, that an order be placed for a street light to be located at Civic Address 9138 Kempt Head Road, Kempt Head (Frank Sullivan residence). Motion carried.

District #6

Councillor Dauphinee requested contact information for Nona MacDermid and this will be forwarded.

It was moved by Councillor Donovan, seconded by Councillor MacCuspie, that a letter be forwarded to Steve MacDonald, Department of Transportation and Infrastructure Renewal, requesting that work be done on site distances and brush clearing along the highways throughout Victoria County and that school bus stop warning signs be installed at required locations as soon as possible. Motion carried.

District #4

Councillor MacInnis indicated that he was contacted by a resident who is short 160 hours for EI and he questioned on whether anything could be done to assist. He was advised to contact Bill Fraser, Department of Community Services, and Robert Dauphinee, Director of Public Works, in this regard.

Councillor MacInnis expressed concern on the cell phone service in his area. Other areas in the Municipality have the same problem.

It was moved by Councillor MacInnis, seconded by Deputy Warden Patterson, that Kevin Hashem, Bell Aliant, be requested to appear before Council on the matter of cell phone service in Victoria County. Motion carried.

It was moved by Councillor MacInnis, seconded by Councillor MacNeil, that a letter be forwarded to the organizers of the Celtic Colours Festival congratulating them on a successful 2010 festival. Motion carried.

Councillor MacInnis brought up that matter of a resident in Larry Dauphinee's district who does a great deal of work in the area with regard to mowing and garbage clean up and wondered if there was a way to recognize his efforts.

Councillor Dauphinee indicated that the gentleman in question is Bert Doucette and he does indeed do a great deal of work in the area with regard to mowing, cleaning up garbage and looking after the Ingonish Social Club premises. He and his wife, Marion, will be celebrating their 50th Anniversary in November and it was felt this would be a good time to show appreciation for his efforts.

It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that a donation be made to the Ingonish Social Club in recognition of Bert and Marion Doucette's 50th Wedding Anniversary for Mr. Doucette's volunteer efforts in the community. Motion carried.

District #2

Councillor MacCuspig advised that there are areas in his district (Big Baddeck) that still do not have access to high speed internet services.

Sandy Hudson advised that he, Tom Wilson and Nona MacDermid will be meeting on November 3, 2010, on the Broadband and website issues and he would report to the next meeting. Councillor MacNeil indicated that as the previous Chairman of the Broadband Committee, he would be interested in attending this meeting.

The recent announcement that the province has given Seaside Communications \$16.4 million to help get Cape Breton residents and businesses wired in with high-speed Internet was discussed.

It was moved by Councillor MacCuspig, seconded by Deputy Warden Patterson, that a letter be forwarded to Seaside Communications that with the recent announcement of \$16.4 million in provincial funding to complete high speed Internet services in Nova Scotia, Council is questioning on the plans for coverage of the remaining areas in Victoria County. Motion carried.

Councillor MacCuspig questioned on the process followed for the Provincial Nominee Program. Sandy Hudson explained the process for the community identified stream of this program.

District #1

It was moved by Councillor MacNeil, seconded by Councillor Donovan, that \$1,500.00 be approved from the District #1 Budget for the Washabuck Community Centre for summer student grant top-up. Motion carried.

Councillor MacNeil advised that he and Councillor MacCuspic recently attended a meeting in Wagmatcook with regard to the Native Summer Games to be held in Wagmatcook in 2011. They wish to make a presentation to Council at some future meeting and will be looking for substantial funding for this project.

Councillor MacNeil felt it would be beneficial to have Stephen MacDonald, Department of Transportation and Infrastructure Renewal, attend Council prior to the winter season.

It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that Stephen MacDonald, Department of Transportation and Infrastructure Renewal, and Keith Bain, MLA, be invited to attend Council to discuss a number of issues. Motion carried.

District #3

Warden Morrison vacated the Chair, which was assumed by Deputy Warden Fraser Patterson.

Warden Morrison advised that there are a number of dead trees on the phone lines in Upper Jones Street, Baddeck, and when Bell Aliant was contacted, they indicated that the clearing of these lines was a municipal responsibility. The streets in the Village are not owned by the municipality, therefore; he felt a letter should be forwarded to Bell Aliant regarding this matter.

It was moved by Warden Morrison, seconded by Councillor MacNeil, that a letter be forwarded to Bell Aliant advising that the streets within the Village are not municipally owned and request that they undertake the removal of the dead trees in the Upper Jones Street area of Baddeck. Motion carried.

It was moved by Warden Morrison, seconded by Councillor MacCuspic, that a letter be forwarded to Stephen MacDonald, Department of Transportation and Infrastructure Renewal, requesting that a flashing light or appropriate signage and a crosswalk be located at the entrance to the Victoria County Memorial Hospital, Baddeck. Motion carried.

It was moved by Warden Morrison, seconded by Councillor MacNeil, that a letter be forwarded to Chief Norman Bernard, Wagmatcook, congratulating him on his recent election as Chief and requesting that a meeting between the two Councils be arranged in the near future. Motion carried.

APPROVAL OF FINANCIAL STATEMENTS

It was moved by Deputy Warden Fraser Patterson, seconded by Councillor Dauphinee, that the non-consolidated financial statements for the Municipality of the County of Victoria for the year ended March 31, 2010, be approved. Motion carried.

APPROVAL OF 2010/2011 OPERATING BUDGET

It was moved by Councillor Donovan, seconded by Councillor MacCuspic, that the 2010/2011 operating budget for the Municipality of the County of Victoria be approved. Motion carried.

5 YEAR CAPITAL INVESTMENT PLAN

It was moved by Councillor MacInnis, seconded by Deputy Warden Patterson, that the 5 year Capital Investment Plan for the fiscal years 2010/2011 to 2014/2015 for the Municipality of the County of Victoria be approved. Motion carried.

TERRY HOGAN PROPERTY MATTER

In 1983, Terry Hogan purchased a property from the Municipality of the County of Victoria. A deed was issued, which was not recorded and now a search of the property indicates it is still owned by the Municipality. Sandy Hudson advised that he forwarded this matter onto the Solicitor for recommendation. He anticipates that a quit claim deed will be issued to Terry Hogan to clarify the property issue.

It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that upon recommendation of the Solicitor, a quit claim deed be issued to Terry Hogan. Motion carried.

CONCILIATION

Conciliation will take place on November 24, 2010, in Sydney and Sandy Hudson requested members of the Negotiating Committee that are available attend this meeting.

AUSTEEN MUNROE

Sandy Hudson advised that Austeen Munroe, Court House Cleaner, is currently in hospital.

It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that appropriate wishes from Council be forwarded to Austeen Munroe. Motion carried.

VICTORIA COUNTY STRATEGIC PLAN UPDATE

Sandy Hudson advised that he met with Nona MacDermid last week and outlined a number of initiatives she is working on. She will be undertaking a study on the pros and cons of involvement in a Regional Development Authority (RDA) and will tentatively have a draft completed by January, 2011. She will also be conducting a Business Needs Analysis and wishes to appoint a Task Force to come up with the appropriate framework for this analysis. A Fishery Strategy session is also being planned for probably March, 2011.

Further information will be provided at the November Council.

CAPE BRETON ISLAND MARKETING LEVY

A meeting was held on the marketing levy issue last Tuesday with representatives attending from Richmond, Victoria and the Town of Port Hawkesbury. Cape Breton Regional Municipality representatives did not attend.

It is hoped that a draft by-law will be ready for presentation in November, with an implementation date of January 1, 2011. Solicitor MacDowell will draft the by-law for consideration.

One of the concerns addressed at the meeting was how Destination Cape Breton Association would account for the monies spent and it was felt that this would be best done through a Memorandum of Understanding. This matter will continue to be worked on.

NEXT MEETINGS

Victoria County Municipal Council be held on November 1, November 15 and November 29, 2010, with one meeting being scheduled in December, 2010, the date to be determined.

APPROVAL OF ROAD NAME

Letters were received from the Eastern District Planning Commission and the Department of Transportation approving the road name change from 5444 Road, Nyanza to “Bhreagh Oban Lane”.

It was moved by Councillor MacCuspic, seconded by Councillor MacInnis, that Council approve the road name change from 5444 Road, Nyanza, to “Bhreagh Oban Lane”. Motion carried.

ADJOURN

There being no further business, on motion of Councillor MacNeil, seconded by Councillor MacInnis, the meeting adjourned at 7:20 p.m.

Sandy Hudson, CAO

Bruce Morrison, Warden

