

VICTORIA COUNTY MUNICIPAL COUNCIL
ANNUAL SESSION
August 20, 2001

The Annual Session of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, August 20, 2001, beginning at 2:00 p.m. with Warden Gerald Sampson in the Chair.

Present were:

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

Also present were:

Brian Trask, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Sampson called the Annual Meeting to order and welcomed those in attendance.

AGENDA/TIME TO ADJOURN

The agenda was presented for approval.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that the agenda be approved as presented. Motion carried.

It was moved by Councillor MacNeil, seconded by Councillor Barron, that the time for adjournment be set at 5:40 p.m. Motion carried.

MINUTES/BUSINESS ARISING

The minutes of the July 9, 16 and 30, 2001, minutes of Victoria County Municipal Council were presented for approval.

A second announcement of approved infrastructure projects was made on August 16, 2001, however; the Baddeck Sewage Treatment Plant application was not in this listing of approvals. It was indicated that Baddeck's application is in the final stage of a 3-stage process and the approval should be forthcoming.

The Water Committee met on August 16, 2001, and there were two recommendations coming from this meeting – to proceed with Phase One of the Dingwall Water upgrading with the installation of a stainless steel tank and to proceed to tender for a chemical storage building 13 X26 for the Neil's Harbour/New Haven Water System.

Previously an estimate of costs for the Dingwall Water System was received from Rawdon Technologies and Brian Trask advised that he requested Ed Carey, Carey Geoenvironmental, to come to Council to explain the differences in the ENG Environmental and Rawdon Technologies proposals.

Mr. Carey advised that the Department of the Environment had been involved in discussions with regard to the Dingwall Water System at which time the DAF (Dissolved Air Flootation) system was considered for this system. The two other types of systems are the coagulation chemical feed system and the Nano (Membrane Technology) system. He indicated that there are pros and cons with all these systems.

It was felt that the first phase of the upgrading was should be proceeded with and the type of technology could be determined at a future date.

It was moved by Deputy Warden Morrison, seconded by Councillor MacLellan, to proceed with Phase One of the Dingwall Water Upgrading using a stainless steel well and the technology for the future phases and the chemical storage building for the Neil's Harbour/New Haven Water System be referred to the Water Committee for further discussion. Motion carried.

The interviews for the Director of Development position will be held on Friday, August 24, 2001, beginning at 10:00 a.m. Twenty-five applications were received for this position. These applications were reviewed and short listed to 6 candidates who will be interviewed.

It was moved by Councillor MacInnes, seconded by Councillor MacLellan, that the minutes of the Council meetings of July 9 and 30, 2001, be approved as presented and the July 16, 2001, minutes be approved with the correction that Councillor Toms was in attendance. Motion carried.

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FINANCIAL REPORT

Courtesy of Council was extended to Dave Roach, C.A., and John Anderson, C.A., Roach Perry Anderson Chartered Accountants.

Mr. Roach presented the financial statements for the Municipality of the County of Victoria for the year ended March 31, 2000. He reported that the Municipality ended the year with an accumulated surplus of \$99,163, based on total revenues of \$6,047,666 and total expenditures of \$5,948,503. Included in the total revenue is the accumulated surplus of \$12,515 carried forward from the previous year. This means that the Municipality experienced a surplus from current year's operations of \$86,648.

A general discussion took place and the gentlemen answered questions and concerns addressed by Council.

A letter of recommendation for 2001/2002 was read by John Anderson. The recommendations were as follows:

1. Encourage the Municipality to continue to operate in a fiscally responsible manner.
2. Continue aggressive collection policies for tax collection, including a detailed review of the rate roll to identify problem accounts and continue to schedule regular tax sales.
3. Recommend that the interfund balances/reserve funding be repaid to the respective funds during the current year.
4. Recommend that landfill closure costs be estimated by reviewing the provincial Department of Environment guidelines developed for this purpose and that steps be undertaken to initiate funding for these costs through the Capital Reserve Fund as required by municipal accounting guidelines.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that the external auditors report, financial statements and management letter and recommendations be accepted as presented. Motion carried.

It was moved by Councillor MacInnes, seconded by Councillor Budge, that Roach Perry Anderson Chartered Accountants be appointed Municipal Auditors for the duration of the expiry of this term of Council – a 3-year period. Motion carried.

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Warden Sampson extended a vote of thanks to Mr. Roach and Mr. Anderson for their report.

It was moved by Councillor MacInnes, seconded by Councillor Toms, that Administration and Staff be commended for a job well done with regard to the County's finances during the past year. Motion carried.

RECESS

Warden Sampson announced that Council would recess for 10 minutes.

BUDGET

Brian Trask presented the budget for 2000/2001, showing proposed tax rates of \$1.27 residential and \$2.14 commercial – the same rates as last year. On the auditor's recommendation, he requested a date for the next regular tax sale.

It was moved by Councillor Toms, seconded by Deputy Warden Morrison, that the date for the next tax sale be set for November 30, 2001. Motion carried.

Brian Trask advised that he had included \$2,000 in the budget for each school in the County to be used for recreation for children, to keep in line with Council's desire to get back into the recreation aspect for children.

Mr. Trask advised that a letter would be forwarded to every organization that requested funding outlining the restrictions placed on Municipality's with regard to funding as contained in the Municipal Government Act.

Deputy Warden Morrison advised that the Baddeck Playground Committee in their original application did not properly fill out the form and he made notice of motion that he would be requesting approval for \$2,500 for the Baddeck Playground Committee from the recreation budget at the next meeting.

Discussion took place on funding to fire departments and this is to be dealt with through the Chief Officers Committee.

It was moved by Councillor MacInnes, seconded by Councillor Barron, that the 2001/2002 budget be approved and the tax rates for 2001/2002 be \$1.27 residential and \$2.14 commercial. Motion carried.

Discussion took place on the Ingonish Beach Water and Councillor Barron presented a notice of motion that he would be requesting at the next meeting that \$80,000 be allocated from the reserve for the Ingonish Beach Water.

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Councillor MacNeil presented a notice of motion that he would be requesting approval of \$7,000 for the Ottawa Brook Water Committee for drilling and pump testing a well.

It was moved by Councillor MacNeil, seconded by Councillor MacInnes, that 4 streetlights per district be included in the 2001/2002 budget. Motion carried.

SOLICITOR PICKUP

Solicitor Pickup was in attendance at the Warden's request to explain the County's responsibility, if any, with regard to due diligence with regard to the proposed Seal Island Bridge closure.

Solicitor Pickup advised that the Municipality has no jurisdiction over the provincial roadway and as long as the Municipality is aware of the plans and has made alternate arrangements with regard to emergency measures, this is sufficient.

The possibility of outlining the County's concerns with regard to this matter was discussed.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that the EMO Coordinator provide information to be outlined in a letter to the Department of Transportation expressing the County's concerns with regard to the proposed closure of the Seal Island Bridge. Motion carried.

Deputy Warden Morrison brought up the topic of a contract between the Municipality and the Village of Baddeck with regard to the Baddeck Sewers.

It was moved by Deputy Warden Morrison, seconded by Councillor MacLellan, that the Solicitor be authorized to initiate with the Village Solicitor, Dan Chaisson, the terms of a contract between the Village of Baddeck and the Municipality with regard to the Baddeck Sewers. Motion carried.

RECESS

Warden Sampson advised that Council would recess for 10 minutes.

SOLID WASTE CONTRACT

Tenders were received for a four-year contract for solid waste collection and haulage of solid waste from the Cape North Transfer Station to the Baddeck Landfill. Brian Trask advised that three tenders were received. The tenders were opened and were as follows:

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1. JVS Trucking Ltd. – Required deposit equal to 5% of the tendered contract price enclosed - \$700,000 plus HST - \$805,000.00
2. Kilkare Transport Ltd. – Required deposit equal to 5% of the tendered contract price enclosed - \$844,631.64 HST included
3. Tri-Can Containers Ltd. – Required deposit equal to 5% of the tendered contract price enclosed - \$1,056,261.20 HST included

Prior to a contract being awarded the CAO and Solicitor will review all the documentation to ensure everything is in order.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that the three submitted tenders be received and the Solicitor and CAO review and verify the documentation and report back to the next Council meeting. Motion carried.

NEW BUSINESS

District #1

It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that \$400 be approved for the Iona Boy and Girl Scouts from the District #1 budget. Motion carried.

District #2

Councillor Toms questioned whether approval is to be received from all residents who own property on the road when a road name change is requested. He was advised that applications submitted in the past required 100% approval from all residents owning property on a roadway.

District #3

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that \$125 be approved from each of the District #1, #2, #3 and #4 budgets for Baddeck & Area Minor Hockey Society. Motion carried.

It was moved by Councillor Toms, seconded by Deputy Warden Morrison, that provided funds are available, \$125 be approved from each of the District #1, #2, #3 and #4 budgets for the Baddeck Silver Bullets Speedskating Club. Motion carried.

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Deputy Warden Morrison indicated that at the previous meeting approval was received to make an offer of \$2,500 to a resident for an easement over their property for the purpose of installing a sewer line. He indicated that this offer is to be reduced to \$2,000.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that an offer of \$2,000 for the required easement be approved. Motion carried.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that a detailed report of total expenses incurred by each individual Councillor be made available to the Corporate Services Committee. Motion carried.

District #4

It was moved by Councillor MacInnes, seconded by Councillor MacLellan, that \$200 be approved for the North Shore War Memorial from the District #4 budget. Motion carried.

District #7

It was moved by Councillor Budge, seconded by Councillor MacInnes, that \$200 be approved for the Neil's Harbour/New Haven Fire Ladies Auxiliary for the Linger By The Sea Festival from the District #7 budget. Motion carried.

It was moved by Councillor Budge, seconded by Councillor Barron, that a letter be forwarded to the Department of Transportation requesting that they investigate two problem areas in New Haven where the road is eroding due to the sea and armour stone is required and outlining a problem with regard to a culvert in the area close to St. Andrews Rectory in Neil's Harbour and request that this problem be corrected. Motion carried.

Councillor Budge indicated that he noticed where Council had provided funding for war memorials in other areas and he indicated that he would be submitting a request for one in his area.

District #6

It was moved by Councillor Barron, seconded by Councillor MacLellan, that up to a maximum of \$500 be approved for Ingonish Home Hardware for the location of a bus shelter in the Creek area of Ingonish Beach. Motion carried.

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District #4

It was moved by Councillor MacInnes, seconded by Deputy Warden Morrison, that a list be compiled by the EMO Coordinator of all those involved in fighting the forest fire at Wreck Cove and a letter or certificate of appreciation be forwarded and a list of those involved be also published in The Victoria Standard. Motion carried.

District #5

Sgt. Pembroke of the Ingonish Beach Detachment is being transferred and discussion took place on the staffing of this detachment.

It was moved by Councillor Barron, seconded by Councillor Budge, that a letter be forwarded to Superintendent Dwight Bishop requesting that the status quo be maintained for the Ingonish Beach RCMP Detachment. Motion carried.

Warden Sampson reported on a favourable meeting he attended with the Unimaki Environmental Committee concerning the remediation of the Bras d'Or Lakes.

Warden Sampson advised that himself and Brian Trask would be guests on Talk Back on CHER Radio on August 28, 2001.

Discussion took place on the services provided by the Salvation Army during the forest fire at Wreck Cove.

It was moved by Deputy Warden Morrison, seconded by Councillor MacNeil, that a propane travel

stove, equipped with regulator and tank, be approved for the Salvation Army. Motion carried.

Warden Sampson brought up the problem he had with dogs in the Boularderie area. It was suggested that Hansel McEvoy, Dog Controller, be requested to come into District #5 and make his presence known in the community. He is to stay in the area for a period of time to handle the dog problems in the area.

Discussion took place on county pins and crests.

It was moved by Councillor MacInnes, seconded by Deputy Warden Morrison, that 1,000 county pins and 100 county crests be ordered. Motion carried.

Each Councillor is to be provided with 100 county pins, and the remaining 200 are to be retained at the County office.

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Warden Sampson indicated that he was approached by a gentlemen concerning the reassessment of waterfront properties and whether the Municipality could do anything in this regard. A letter was previously forwarded to Service Nova Scotia and Municipal Relations in regard to this topic.

Warden Sampson advised that he was contacted by a resident of the Port Bevis Road concerning a sign for this roadway. This matter is to be investigated with the Department of Transportation to determine the location of the road and whether it is a listed roadway.

It was moved by Warden Sampson, seconded by Councillor MacInnes, that a letter be forwarded to Superintendent Dwight Bishop, RCMP, requesting that a phone be installed in the Community Policing Office located in the Boularderie School. Motion carried.

Warden Sampson read a letter from R. J. MacNeil concerning eco-tourism in Cape Breton.

It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that R. J. MacNeil's letter be referred to Tim Lambert, Biologist, for his review. Motion carried.

District #2

Councillor Toms expressed concern regarding the western entrance to Baddeck at Exit 8 adjacent to the Irving Service Station. There is a problem with traffic entering the No Exit area at this intersection and it is a matter of time before an accident occurs.

It was moved by Councillor Toms, seconded by Deputy Warden Morrison, that a letter be forwarded to the Department of Transportation requesting that they investigate and come up with recommendations as to how to improve the western entrance to Baddeck at Exit 8 before a serious accident occurs at this location. Motion carried.

District #8

It was moved by Councillor MacLellan, seconded by Councillor MacInnes, that a letter be forwarded to the Department of Transportation expressing concern on the lack of brushcutting from signage and the shoulders of the roadways in Victoria County. Motion carried.

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CORRESPONDENCE

1. Letter from Kathy Gillis, Service Nova Scotia and Municipal Relations, in reply to Council 's letter of July 16, 2001, regarding the assessment of waterfront property in Victoria County.
2. Correspondence from Charles MacDonald, Department of Transportation, advising that Council's request for a reduction in the speed limit on the section of the Cabot Trail at Middle River as been investigated and the existing 80/km per hour speed limit will be retained in this area.
3. Copy of correspondence forwarded from the Rural Cape Breton District Planning Commission to the Honourable Jamie Muir, Minister Responsible for the Emergency Measures Act, concerning the E-911 service.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that a letter be forwarded to the Honourable Jamie Muir objecting to the per capita revenue sharing formula with regard to E-911 and suggesting that the E-911 fee be based on geographic area basis. Motion carried.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that a letter be forwarded to all municipalities abutting the Bras d'Or Lakes requesting their support in opposing proposed increases in assessment of waterfront properties. Motion carried.

4. Letter from the Markland Coastal Resort concerning the base rate for their water connection to the Dingwall Water Utility.

It was moved by Councillor MacInnes, seconded by Councillor Barron, that this matter be referred to the Water Committee. Motion carried.

5. A memorandum was received from Tom Wilson updating Council on his health status, as well as recreation and tourism matters he has been dealing with.

IN CAMERA

Council moved to a short In Camera session.

Council returned to regular session.

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SOLID WASTE MANAGEMENT BY-LAW #0597

The second reading of the Solid Waste Management By-Law #0597 was the next item on the agenda.

It was moved by Councillor MacInnes, seconded by Councillor Toms, to approve the 2nd reading of the Solid Waste Management By-Law #0597. Motion carried.

ADJOURN

There being no further business, on motion of Deputy Warden Morrison, the meeting adjourned at 5:50 p.m.