

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**November 7, 2011**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, November 7, 2011, beginning at 5:00 p.m. with Deputy Warden Fraser Patterson in the Chair.

Present were:

District #1 – Paul MacNeil  
District #4 – Merrill MacInnis  
District #5 – Fraser Patterson, Deputy Warden  
District #6 – Larry Dauphinee  
District #7 – David Donovan  
District #8 – Johnny Buchanan

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

Absent were:

District #2 – Keith MacCuspic (Due to Family Illness)  
District #3 – Bruce Morrison, Warden (Due to Illness)

**CALL TO ORDER/APPROVAL OF AGENDA**

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

One addition to the agenda is that Michael Drinnan, Drinnan Computers, will be in attendance at 6:30 p.m. to discuss the new technology being considered for Council.

**It was moved by Councillor Donovan, seconded by Councillor MacInnis, that the agenda be approved with the noted addition. Motion carried.**

**ALTERNATIVE ENERGY STRATEGY STUDY UPDATE**

Courtesy of Council was extended to Nick Pryce and Jeffrey Haggett, Genivar, who were in attendance to update on the status of the Alternative Energy Strategy Study for the Municipality of the County of Victoria.

Nick Pryce indicated that they are about 50% through the project and met earlier today with representatives from the tourist industry to obtain their input.

Mr. Pryce indicated that Mr. Haggett would begin the presentation by outlining the Nova Scotia Renewable Electricity Plan and how it relates to the Victoria County study and he would then update on the methodology of the report and provide a status update.

Nova Scotia's Renewable Electricity Plan sets out a detailed program to move Nova Scotia away from carbon-based electricity towards greener, more local sources. By 2015, 25% of Nova Scotia's electricity will be supplied by renewable energy sources.

Mr. Haggett outlined the 3 programs under this plan – enhanced net metering, COMFIT (community feed-in-tariffs) and independent power producers.

Enhanced net metering is a utility-led program that allows a consumer to connect a small renewable electricity project to the distribution grid through a meter.

Mr. Haggett outlined the COMFIT program and indicated that to be eligible, the projects must be community owned and connected at the distribution level. Ministerial approval is required in order to proceed with a COMFIT project. The program began accepting applications on September 19, 2011, and within the first couple of hours there was considerable interest noted.

Most of the new renewable electricity will come from large and medium scale projects. To ensure value to ratepayers, there will be equal participation by independent power producers (IPP) and Nova Scotia Power for access to transmission connected projects. IPP's will compete in a bidding process. It was indicated that the Highland Power Company Inc. proposed project would be an IPP.

It was indicated that Cape Breton produces a high level of renewable energy at present. NS Power is not looking at new major projects for Cape Breton. Land ownership is also a challenge in Cape Breton as the majority of lands are federally or provincially owned lands.

Mr. Haggett explained the types of alternate energy – wind, tidal, solar, biomass, natural gas, etc.

Mr. Pryce then updated on the status of the Alternative Energy Strategy Study being undertaken for the Municipality. They have looked at the state of the industry in regard to regulatory requirements, concerns and benefits, property values and economic spinoffs. The opportunities for Victoria County are still being explored and a review of the Municipal Planning Strategy and Land Use By-Law documents pertaining to alternate energy is being undertaken. Major alternative

energy projects presently being developed in other jurisdictions are being reviewed with a view on how this will affect Victoria County and shareholder consultations, such as the one held earlier today with the tourism industry, are being held.

Mr. Pryce indicated that a draft report will be ready in January, 2012, and this will be taken to the community for review and comment and following this, they will come back with the final report.

Mr. Pryce and Haggett answered various questions of Council pertaining to the study and renewable energy.

Deputy Warden Patterson extended a thank you to the gentlemen for their presentation and indicated that the Municipality looks forward to the presentation of the draft Alternative Energy Strategy Study in the New Year.

**RECESS**

Deputy Warden Patterson advised that Council would recess for 10 minutes.

**JOHN BAIN, EASTERN DISTRICT PLANNING COMMISSION**

John Bain, Director, Eastern District Planning Commission, was in attendance with regard to two applications for proposed amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law.

The Planning Advisory Committee has met on the proposed amendments and recommends approval. Mr. Bain indicated that Council is required to give first reading to these amendments and set a date for a public hearing on the amendments.

The first application for proposed amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law is by Graham MacKenzie and he wishes to re-designate and rezone a property on Shore Road from residential to commercial to permit a retail store. He is looking to relocate the existing Home Hardware store from its current location on Chebucto Street to Shore Road. Along with the application for re-designation and rezoning there are changes required to certain sections of the Land Use By-Law which Mr. Bain outlined to Council.

**It was moved by Councillor Donovan, seconded by Councillor Buchanan, that the application for proposed amendment by Graham MacKenzie be given first reading and a public hearing on this application be held on Monday, November 28, 2011, at 4:30 p.m. in the Court House, Baddeck. Motion carried.**

The second application for proposed amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law is to permit professional offices in the area designated residential urban zone. Valerie Sampson, the applicant, wishes to locate a Remax Real Estate office on property on the Big Baddeck Road between the RCMP Detachment and Baddeck Veterinary Clinic.

**It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that Valerie Sampson's application for proposed amendment to the Baddeck Municipal Strategy and Land Use By-Law be given first reading and a date for a public hearing on this application be set for Monday, November 28, 2011, at 4:30 p.m. at the Court House, Baddeck. Motion carried.**

**CONSOLIDATED FINANCIAL STATEMENTS FOR THE MUNICIPALITY OF THE COUNTY OF VICTORIA FOR THE YEAR ENDED MARCH 31, 2011**

Prior to Council, Council met as the Audit Committee, with Grant Burgess, CA, Grant Thornton LLP, to review the consolidated financial statements for the Municipality of the County of Victoria for the year ended March 31, 2011.

**It was moved by Councillor MacInnis, seconded by Councillor Buchanan, that the consolidated financial statements for the Municipality of the County of Victoria for the year ended March 31, 2011, be accepted. Motion carried.**

The Income Statements for the Municipality as of June 30, 2011, and September 30, 2011, were presented to Council.

**It was moved by Councillor Donovan, seconded by Councillor MacNeil, that the Income Statements for the Municipality be accepted. Motion carried.**

Council was advised that any time they had questions pertaining to the finances of the Municipality; they contact the Director of Finance.

**APPROVAL OF MINUTES – OCTOBER 17, 2011**

The minutes of the October 17, 2011, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that the Victoria County Municipal Council minutes of October 17, 2011, be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Cape Breton District Health Authority**

Councillor MacNeil indicated that he was unable to attend the Cape Breton District Health Authority's accreditation meeting at the Cape Breton Regional Hospital.

**Department of Transportation and Infrastructure Renewal**

Councillor Dauphinee indicated that the recent announcement by the Province of New Brunswick that they are cutting 5% of all plows this winter season may also come to be in Nova Scotia with the rumored cuts to winter service in Victoria County.

**Department of Environment**

Councillor Donovan questioned on the meeting held with the Department of the Environment concerning the septic site at Dingwall.

Sandy Hudson advised that he and Robert Dauphinee met with the Department of Environment on October 27, 2011, and were informed that Island Vacuums has abandoned the site as of October. The Department of Environment have no complaints on the operation of the site and indicated that the only problem was that the fencing around the site is in need of upgrade.

Council, when they turned now the expansion request, were unaware that the second settling pond was a requirement of his license to operate from the Department of Environment.

Sandy Hudson advised of the options Council have in this regard

- To allow the site expansion to meet current Department of Environment regulations
- Request that the abandoned site be remediated as required

Council felt that a third option could be getting involved in providing this service. The rates being charged to the taxpayers in the North of Smokey area since the site closure are exorbitant.

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that the CAO be authorized to reopen talks with Island Vacuum on the sewage site in Dingwall. Motion carried.**

Council requested that Robert Dauphinee be asked to investigate the costs and what is involved on the Municipality assuming this responsibility. The findings are to be brought to Council on November 28, 2011.

**It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that Robert Dauphinee be requested to investigate the costs and implications of the Municipality providing a septic pumping service. Motion carried.**

**Minister of Tourism**

Sandy Hudson advised that he attempted to arrange a meeting of Council with the Minister of Tourism during the UNSM Conference, but the Minister was unavailable as the House was sitting.

Arrangements are to be made for a meeting as soon as possible in Halifax with the Minister, preferably in early December at the latest. Council members North of Smokey will attend this meeting.

**MICHAEL DRINNAN, DRINNAN COMPUTERS**

Courtesy of Council was extended to Michael Drinnan, Drinnan Computers.

Mr. Drinnan was requested to investigate and price new technology for Council's use. He indicated that he feels the Lenovo is the best office laptop and he indicated that for volume pricing he has obtained \$400 off per unit for the purchase of 14 units, with a 5 year warranty. He outlined the features of this machine.

The IPAD II technology operates on a totally different software package and he would recommend a keyboard add on for this machine. The cost is \$100 more for the MAC package. He indicated that the laptops would be upgradeable; however, the IPAD II is not upgradeable.

The possibility of obtaining two of the machines for demonstration was questioned and Mr. Drinnan indicated that this was possible and he will have a new laptop and IPAD II available at the Council meeting on November 28, 2011. A decision will be made at that time and he indicated that after placing the order, the machines should be available in one week. A training session can also be set up after the new equipment is received.

**CIVIC ADDRESSING BY-LAW**

The proposed Civic Addressing By-Law was reviewed and it was indicated that some of the language contained in the by-law is difficult to understand and should be made clearer. The sections were reviewed.

**It was moved by Councillor MacNeil, seconded by Councillor Buchanan, that 1<sup>st</sup> reading of the Civic Addressing By-Law be approved and a date for public hearing on the proposed by-law be held on December 12, 2011, at 4:30 p.m. Motion carried.**

### **DISTRICT CONCERNS**

#### **District #4**

Councillor MacInnis presented background on the financial request for the Inverness-Victoria Federation of Agriculture. Chris van den heuval made a presentation to Council last year on the work of the Federation and at that time the financial request was referred to budget. It was overlooked when the budget was passed.

**It was moved by Councillor MacInnis, seconded by Councillor MacNeil, that \$1,000.00 be approved for the Inverness-Victoria Federation of Agriculture for both the years 2010/11 and 2011/12. Motion carried.**

Councillor MacInnis presented more pages of the petition concerning the Plaster Picnic Park and these will be forwarded on to the Honourable Charlie Parker, Minister of Natural Resources.

Councillor MacInnis questioned on the guidelines for the Municipality's commitment to the UNSM. He questioned whether it was overkill to send so many representatives to the Annual UNSM Conference and suggested that perhaps the Warden, CAO and 2 Council members be permitted to attend annually and in the course of the 4 years on Council, each member can attend at least one time.

Other Council members felt that the networking that is done during this conference is very important and is beneficial for the Municipality.

#### **District #1**

**It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that a street light order be placed for the installation of a street light at 1095 Little Narrows Road. Motion carried.**

Councillor MacNeil expressed concern on the former Rankin Memorial School property. It is starting to get run down and people are entering the site and

removing materials without permission. The School Board still has ownership of the property and it was felt they should be contacted to find out their intentions with regard to this property.

Sandy Hudson advised that he placed a call to Paul Oldford, Director of Property Services with the School Board and to date, his call has not been returned.

**It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that a letter be forwarded to the Cape Breton-Victoria Regional School Board questioning on their intentions with regard to the former Rankin Memorial School property. Motion carried.**

Councillor MacNeil brought up a concern with regard to the operation of the Little Narrows Water Utility in a recent power outage.

Councillor MacNeil brought up the matter of 3 phase power for the Iona area and the cost associated with bringing the power to the area.

**It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that a letter be forwarded to Department of Energy requesting that they investigate the difficulties with regard to the COMFIT application process. Motion carried.**

#### **District #6**

Councillor Dauphinee advised that the AGM of the Northeast Highlands Chamber of Commerce will be held at the Gaelic College, St. Ann's on November 15, 2011. He will provide Council with information on this event.

Councillor Dauphinee indicated that information was received on an Economic and Demographic Outlook Conference to be held in Membertou on November 25, 2011. The conference will explore the future of Cape Breton over the next five years. He, along with Councillor MacInnis and Deputy Warden Patterson, expressed an interest in attending.

**It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that Councillors Dauphinee and MacInnis and Deputy Warden Patterson be authorized to attend the Economic and Demographic Outlook Conference to be held in Membertou on November 25, 2011. Motion carried.**

Councillor Dauphinee indicated that information and demonstrations were available at the UNSM Conference on the I Fit Outdoor Gym technology. This equipment could be on interest to the Municipality.

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the information be provided to Vince Forrestall, Physical Activity Strategy Coordinator, to determine how this equipment might fit into Victoria County's Active Living Strategy. Motion carried.**

**District #7**

Councillor Donovan questioned on the status of a street light order he placed some time ago and he was advised that Nova Scotia Power would be doing a site visit on November 7, 2011.

Councillor Donovan indicated that Honourable Ramona Jennex, Minister of Education, brought up the initiative of a virtual high school that has been introduced in Nova Scotia. Students from any part of Nova Scotia can take classes on line with an actual teacher teaching the course. This will give students in rural areas more opportunity than they have at present.

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that \$292.03 for materials purchased at Costco for the County float in the North of Smokey Christmas Parade be approved. Motion carried.**

The Lobster Fishing Area 27 (LFA 27) includes all fishermen from Bay St. Lawrence to Gabarus, Cape Breton. They are looking for municipal representation on their Management Board.

Discussion took place on this matter and whether Councillors who are also fishermen would be in conflict if serving on the Board.

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that Merrill MacInnis and David Donovan be appointed to the LFA 27 Board. Motion carried.**

At that last meeting of Highland Manor, the storage issue problem was brought up. Councillor Donovan questioned whether Council would consider an interest free loan to Highland Manor for \$60,000.00 to enable them to build a storage building.

Sandy Hudson advised that the Municipality does not have authority to loan money, but there may be the possibility of Highland Manor negotiating a loan and the Municipality guaranteeing same. This has been done for Alderwood in the past

Councillor Donovan outlined the importance of the Victoria Co-op Fisheries to the northern area of the County. It employs 150 with \$26 million in sales annually. The

payroll for the 90 plant workers is in excess of \$1 million dollars. It is a business owned by the fishermen and over the past couple of years the cost of maintenance has increased

*Page 10, VICTORIA COUNTY MUNICIPAL COUNCIL, November 7, 2011*

significantly. A significant amount of product was lost during a power outage last year and a \$150,000 back up generator has been purchased, but \$115,000 is still required for a boiler. Some fishermen feel the plant should be closed and the product shipped out. This would increase the fishermen's profit, but be a detriment to the North of Smokey area. He questioned whether the Municipality could assist with the purchase of the boiler.

Sandy Hudson advised that the *Municipal Government Act* does not provide the Municipality with any authority to put money into the private sector and the only thing the Municipality could assist with is lobbying the government on the Victoria Co-op Fisheries behalf for assistance.

#### **District #8**

Councillor Buchanan requested that another letter be sent to Aliant concerning the lack of cell service in his district. Councillor MacNeil requested that District #1 also be included in this letter.

**It was moved by Councillor Buchanan, seconded by Councillor Donovan, that a street light order be placed for a light to be installed at Civic Address 9 Blaze Road, Dingwall. Motion carried.**

Councillor Buchanan indicated that wood has been cut within the National Park and is lying on the roadside between Effie's Brook and Cabot High and area residents would like to access same, but there is a \$570 fine if caught taking it. He felt it would be better to allow the wood to be used. Councillor Dauphinee outlined an incident that occurred a number of years ago in this regard that now prevent the public from accessing the wood.

#### **District #7**

Councillor Donovan was advised that Minister Percy Paris is also the Minister Responsible for Economic Development and the Victoria Co-op Fisheries issue can be addressed when they meet with him on the Keltic Lodge.

#### **QUIT CLAIM DEED – ELMER AND JEAN ROBERTSON**

Sandy Hudson presented background information on the Elmer and Jean Robertson property, Big Bras d'Or and advised that the Solicitor is recommending that a quit claim deed be issued.

**It was moved by Councillor Donovan, seconded by Councillor Buchanan, that the Warden and CAO be authorized to execute a quit claim deed to Elmer and Jean Robertson. Motion carried.**

**BUSINESS SUCCESSION PLANNING**

Nona MacDermid advised Council of the Business Succession Planning Session to be held at the Gaelic College, St. Ann's on November 29, 2011. She outlined the agenda for the day and indicated that she is working in conjunction with CBU who will partner with the County. The cost of registration is \$25 per person and should be of interest to those interested in starting a business, anyone currently in business or anyone who is planning to transition their business to a family member or employee in the next 5 to 10 years.

Ms. MacDermid indicated that there is a Facebook page for this event and the deadline for registration is November 21, 2011.

**IN CAMERA**

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, to move In Camera. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that Council come out of In Camera and return to regular session. Motion carried.**

**ADJOURN**

**There being no further business, on motion of Councillor MacNeil, the meeting adjourned at 8:15 p.m.**

**Bruce Morrison, Warden**

**Sandy Hudson, CAO**

