

VICTORIA COUNTY MUNICIPAL COUNCIL
October 6, 2014

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, October 6, 2014, beginning at 5:00 p.m. with CAO Sandy Hudson in the Chair.

Present were:

District #1 – Paul MacNeil
District #2 – Athol Grant
District #3 – Bruce Morrison
District #4 – Merrill MacInnis
District #5 – Fraser Patterson
District #6 – Larry Dauphinee
District #7 – Wayne Budge
District #8 – Johnny Buchanan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER/APPROVAL OF AGENDA

Sandy Hudson called the meeting to order and presented the agenda for approval.

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

ELECTION OF WARDEN/OATH OF ALLEGIANCE AND OF OFFICE

Sandy Hudson advised that the first item on the agenda is the election of a Warden.

It was moved by Councillor MacInnis, seconded by Councillor Grant, that Bruce Morrison be nominated for the position of Warden.

Sandy Hudson called three times for further nominations and on hearing none, declared Bruce Morrison elected as Warden.

CAO Hudson then administered the Oath of Allegiance and Of Office to Bruce Morrison, Warden.

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 of 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:

District #3 – Bruce Morrison

Warden Morrison then assumed the Chair and thanked Council for their support in re-electing him as Warden.

ELECTION OF DEPUTY WARDEN/OATH OF ALLEGIANCE AND OF OFFICE

Warden Morrison then called for nominations for the position of Deputy Warden.

It was moved by Councillor Budge, seconded by Councillor MacNeil, that Fraser Patterson be nominated for the position of Deputy Warden.

Warden Morrison called three times for further nominations and on hearing none declared Fraser Patterson elected as Deputy Warden.

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 of 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:

District #5 – Fraser Patterson

Deputy Warden Patterson thanked Council for their support for both he and the Warden to continue in their roles for the next two years.

CLEAR BAG COLLECTION PRESENTATION

Warden Morrison extended the courtesy of Council to Jocelyn Bethune, Communications Officer, Department of Public Works, who was in attendance to make a presentation on the clear bag collection program (copy attached).

Mrs. Bethune extended Robert Dauphinee's regrets as he was ill and unable to attend tonight's meeting. Any questions Council may have had with regard to operations can be directed to him.

Mrs. Bethune indicated that just the colour of the bag changes in the clear bag collection. Recyclables will still be placed in blue bags and compostables in green bags. The change will be that garbage will now be placed in clear bags. Each household can use one kitchen catcher size bag (20 X 22), nested inside a clear bag. This bag is to be tied and used for waste of a personal nature.

Mrs. Bethune indicated that there are 45 municipalities currently using the clear bag collection program and this is good in that we now know what works for them and how best to set up our program.

There are a number of residents that are still not composting. The possibility of obtaining backyard composters at a wholesale price and selling them to interested residents at that price was discussed.

The program schedule was outlined. Phase 1 is education and awareness and this is currently taking place until the launch on October 20, 2014. Phase II is a voluntary campaign between the October, 2014 launch until October, 2015. Phase III is when the mandatory campaign will begin and this will be from October, 2015 onward.

Mrs. Bethune indicated she would be visiting the business most affected by the change and the solid waste trucks will be on site at the Co-ops in the County for the residents to view the state of the art waste collection system.

It was felt to that education is required for the residents who bring their waste to the site.

Councillor Buchanan mentioned the illegal dumping that is a problem in his area. This currently is a Department of Environment responsibility, but they are attempting to make it a municipal responsibility. When such sites are identified by residents, there should be a proper protocol to follow to report and have these sites remediated.

Meetings will also be held with businesses that use dumpsters for waste to properly educate them on the requirements.

Mrs. Bethune has visited festivals, schools, markets, libraries and community centres providing education on the clear bag program. She has a number of sites to visit in October and November and is available to go anywhere requested. There are plans to visit all schools.

There is a Facebook page for Public Works that is frequently updated with information on a number of public works related items and updates are also placed on the Victoria County website – www.victoriacounty.com.

The number of people who have visited the Facebook page, and specifically viewed the sort sheet is in the vicinity of 1400 since it was put on the site in August, 2014, and 26 people have shared this post.

Mrs. Bethune indicated that ongoing initiatives included website updating, continued meetings with front-line staff and scheduling meetings with the commercial sector over the winter.

Discussion took place on bio-medical waste and Mrs. Bethune outlined the plans for dealing with this type of issue.

Mrs. Bethune indicated that there is a waste wizard linked on the County website that will address questions as to where items should be placed in the waste stream. She showed the program to Council and input some of the questions they asked which indicated where the particular items should go.

Clear bags are comparable in cost to the current green/black bags. Battery disposal was questioned and Council were advised that both the New Haven and Baddeck Enviro-Depots accept all types of batteries. In the near future a pink bin for clothing drop-off will be available and this material is collected from the sites by Eastern Recyclers Association.

Mrs. Bethune provided her contact information and indicated she was available at any time.

After further discussion, Warden Morrison extended a thank you to Jocelyn Bethune for the presentation and indicated she will be invited back to Council in January to update on the progress of the clear bag collection program.

RECESS

Warden Morrison announced that Council would recess for 10 minutes.

APPROVAL OF MINUTES – SEPTEMBER 22, 2014

The minutes of the September 22, 2014, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Deputy Warden Patterson, seconded by Councillor Budge, that the Victoria County Municipal Council minutes of September 22, 2014, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Open Fire Burning

Discussion took place on the DNR presentation at the last meeting on open fire burning and what jurisdiction fire chiefs have in this regard. It has been an issue in the past and whether adopting a by-law would be beneficial was discussed.

The Chief Fire Officers Committee has requested to meet with Council at the second meeting in November and this matter can be addressed at that time.

Scotian Windfields

Scotian Windfields will be having an open house at the Baddeck Community Centre on October 28, 2014, from 6:00 p.m. to 8:00 p.m.

Highland Manor By-Laws

The proposed revisions to the Highland Manor By-Laws are to be forwarded to all Councillors.

NEW BUSINESS

Road Name Change

A petition for a road name change was presented and is to be investigated to see if all landowners on the road have signed the petition, prior to the request being submitted to DTIR and the EDPC.

Volunteer – Celtic Colours

Warden Morrison advised that he was provided with three dates where volunteers are required for the Celtic Colours events at the Gaelic College – the 10th, 14th and 16th. Councillors provided the dates they were interested in and the schedule will be investigated further and duration of shifts provided and filled accordingly.

Subdivision Streets

Sandy Hudson presented a three-year cost sharing agreement from DTIR for subdivision streets. As the Municipality has no eligible streets at present, this agreement was tabled.

Dexter Construction

A complaint was received from Andrew Small with regard to the noise level from Dexter Construction's crusher which runs from 6:00 a.m. too late in the evening.

This correspondence was tabled.

DISTRICT CONCERNS

District #1

It was moved by Councillor MacNeil, seconded by Councillor Budge, that \$1,000.00 be approved from the District #1 budget for the Iona Volunteer Fire Department to assist with maintenance issues. Motion carried.

Councillor MacNeil brought up a concern with regard to the change in the school bus schedule in Grass Cove.

It was moved by Councillor MacNeil, seconded by Councillor Budge, that a letter be forwarded to the CBVRSB questioning on the change in the school bus schedule in Grass Cove. Motion carried.

Councillor MacNeil asked the CAO to investigate the status of Lawrence MacKinnon's request with Solicitor MacDowell.

District #2

Councillor Grant indicated that the PAN Cape Breton Food Network has advertised for a coordinator position. The applications close on October 8, 2014. This organization may be looking for money from the Cape Breton Island municipalities and this matter will be dealt with when the request is received.

Councillor Grant indicated that the Atlantic Region Association of Immigrant Serving Agencies (ARAISA) will be hosting a meeting on October 23, 2014, and Councillor Grant requested permission to attend. Council agreed that he be authorized to attend.

The Baddeck Forks Community Hall paid their taxes this year and will be requesting a refund as they are now included in the External Organizations Tax Exemption By-Law.

Councillor Grant advised that the Canadian Woodlands Forum will be hosting a forestry meeting in Baddeck on October 8, 2014, which he would like to attend and was authorized to do so.

A couple of meetings have been held with regard to affordable seniors and adult housing units. The meetings were well attended. A survey is currently being done and the forms are available if anyone is interested. A meeting of the Affordable Housing Committee will be held at the end of October when the survey is completed.

Councillor Grant indicated that the Director of Finance's information on possible areas where the budget could be cut should be brought before a future Council meeting.

Scotian Windfields will be holding a public information session at the Baddeck Community Hall on October 28, 2014, from 6:00 p.m. to 8:00 p.m. The Alternate Energy Committee will meet with Scotian Windfields earlier that day and Councillor Grant indicated he will be out of town and unable to attend these meetings.

Councillor Grant indicated that he will be hosting a Newcomers Party in Middle River on November 1, 2014.

The traffic congestion problems and dangerous situation at Tim Horton's has again been raised. The Manager of Tim Horton's is also concerned with the situation. The DTIR has completed a traffic study of the area which has not been released as yet. Whether the EDPC could do anything in this regard was questioned.

Councillor Grant indicated that he was approached regarding starting a petition, but felt it should be deferred until the traffic study report is released. Tim Horton's will be undergoing a 4 week renovation in November and will be operating the business out of a trailer during that time.

This matter will be investigated further with DTIR, EDPC and Irving.

District #4

Councillor MacInnis commended Councillor Grant on arranging a Newcomers welcome party in his district and indicated his was on the same day, and encouraged other Councillors to set their dates before December.

Councillor MacInnis indicated that he spoke to Nancy MacLean from Baddeck Gathering Ceilidhs and she felt that a cultural centre is required in Victoria County, specifically in Baddeck area. This matter is to be included on a future Council agenda.

Councillor MacInnis requested an update on the unsightly premises in his district at River Bennett. This matter will be investigated with the EDPC.

Councillor MacInnis questioned on the tractor that is to be tendered. Sandy Hudson advised that a tender on surplus items is to be completed by the end of October/early November.

District #8

It was moved by Councillor Buchanan, seconded by Councillor Budge, that the Department of Environment be contacted with regard to the illegal dumping sites in District #8. Motion carried.

Councillor Buchanan indicated that the old water plant at Dingwall needs to be removed and the water tower at Dingwall needs to be painted.

Councillor Buchanan questioned on whether the compost on site at Dingwall is suitable for use. There is compost contaminated with chipped pressure treated wood that is not acceptable, but is being used in the sewage lagoon remediation project.

The proponents of the Green Cove Monument are hosting a meeting tomorrow night and Councillor Buchanan questioned on how to respond if queried on the Council's stand on the project. He was advised that Council approved the project in principle and this is the information he could provide.

District #7

Councillor Budge questioned on when water would be installed at the Neil's Harbour Enviro-Depot and whether a holding tank would be acceptable for disposal.

This matter is being investigated.

District #6

Councillor Dauphinee brought forward an unsightly premises complaint at 37842 Cabot Trail, Ingonish Beach.

It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that the unsightly premises complaint be forwarded to the Eastern District Planning Commission. Motion carried.

Councillor Dauphinee also brought up the public information session on the Green Cove monument to be held at the Ingonish Fire Hall, Ingonish, tomorrow from 6:00 p.m. to 8:00 p.m. He encouraged Council members who are available to attend.

District #5

Deputy Warden Patterson indicated that he received an email from Lynn Muise, TIANS, regarding fixed roof accommodations and indicating that Glen Squires is the new Chair of TIANS. He will forward the email to Council.

Deputy Warden Patterson advised that an unsightly premises complaint was received for 17 Oliver Lane, Black Rock, and he requested that Sean Donovan, EDPC, investigate this complaint.

District #3

Deputy Warden Patterson assumed the Chair.

It was moved by Warden Morrison, seconded by Councillor Dauphinee, that a street light order be placed for the pole directly across the road from Jessie Stone's property on Water Street. Motion carried.

Last year a number of Councillors attended the Cape Breton Day in Ottawa and it is anticipated that it will take place again in later November. This matter will be addressed at a future Council meeting when more details are known.

The Cape Breton Summit to be held at the Gaelic College has been moved to January, 2015, as it was felt to be a better time to deal with the Cape Breton Tourism Strategy.

The Cape Breton Partnership is hosting an entrepreneur session at the Court House on October 8, 2014, from 2:30 p.m. to 4:30 p.m. The Economic Development Committee will meet at the conclusion of this meeting at 4:30 p.m.

Warden Morrison returned to the Chair.

NEW BUSINESS

Hearing Loop

Sandy Hudson advised that the Telephone Pioneers will be installing the audio loop (for people with hearing problems) in the Court Room, on Thursday, October 9, 2014.

Big Spruce Brewing Company

It was moved by Councillor MacNeil, seconded by Councillor Grant, the a letter of congratulations be forwarded to Big Spruce Brewing Company on recently receiving two awards – Stillwell’s People’s Choice Award at the recent Atlantic Canadian Beer Awards and Cape Breton Partnership’s Impact Award. Motion carried.

Isadora Feigin Property, Bucklaw

Sean Donovan, EDPC, is to be contacted for a status report on the Isadora Feigin property at Bucklaw.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that a letter be forwarded to the EDPC indicating that we expect more timely and accurate updates on reported unsightly premises. Motion carried.

Baddeck Library

Councillor MacNeil indicated that the Cape Breton Regional Library Board has sent another request to the Baddeck Volunteer Fire Department on the necessary repairs to the library building.

Municipal Boundary Review Options

Sandy Hudson questioned on whether any changes were necessary to the list of options presented at the last meeting before the public meetings are scheduled. A location of point x as outlined in the options is to be determined.

Sandy Hudson will schedule the public meetings for later in October – one in both the southern and northern areas of the County.

NEXT MEETING

The next meeting of Victoria County Municipal Council will be held at Ski Cape Smokey, Ingonish Ferry, on Monday, October 20, 2014, at 5:00 p.m.

Two-time Olympic Gold Medalist, Heather Moyse, will be in attendance. A meeting of physician recruitment committees will be held earlier in the day.

IN CAMERA

It was moved by Councillor Buchanan, seconded by Councillor Grant, that Council move In Camera to deal with legal and personnel issues. Motion carried.

It was moved by Councillor MacInnis, seconded by Councillor Buchanan, to return to the regular session of Council. Motion carried.

CUPE LOCAL 2694

It was moved by Councillor Buchanan, seconded by Councillor MacInnis, that the CUPE reclassifications be accepted as outlined. Motion carried.

ADJOURN

There being no further business, on motion of Councillor Buchanan, seconded by Councillor MacInnis, the meeting adjourned at 7:15 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO

