

VICTORIA COUNTY MUNICIPAL COUNCIL
June 22, 2015

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, June 22, 2015, beginning at 5:00 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #1 – Paul MacNeil
District #2 – Athol Grant
District #3 – Bruce Morrison, Warden
District #4 – Merrill MacInnis
District #5 – Fraser Patterson, Deputy Warden
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

The agenda was presented for approval. Warden Morrison advised that Blair Parry, Superintendent, Cape Breton Field Unit, Parks Canada, notified this afternoon that he is unable to be in attendance this evening as scheduled. He will be rescheduled for a July, 2015 session.

It was moved and seconded, that the agenda be approved with the noted change. Motion carried.

AQUACULTURE PRESENTATION

Courtesy of Council was extended to Bruce Hancock, Director, Aquaculture, and Vicki Savoie-Swan, Manager, Aquaculture Development, Department of Fisheries and Aquaculture.

Warden Morrison indicated that Council had specific questions on the mussel farm operations at St. Ann's Bay, that they wished to address following the aquaculture presentation.

Mr. Hancock indicated that the Province have put a pause on new aquaculture applications and have undertaken a review to look at the regulations currently in effect, see what the rest of the world is doing in this regard and recommend how to improve.

An independent panel comprised of two Dalhousie University Professors – Minehard Doelle and Bill Lahey – conducted the aquaculture regulatory review for Nova Scotia. The

process began on May 1, 2013, when the government announced the regulatory framework plan. Research and public consultations were conducted and the draft report was submitted on July 4, 2014, for further public comment. The final report was filed on December 16, 2014 and Mr. Hancock indicated that the Minister has committed to addressing all recommendations and moving ahead with implementation.

Mr. Hancock indicated that the report calls for a fundamental overhaul of the regulation of aquaculture in Nova Scotia. The regulations are meant to apply to both current and new development aquaculture operations. The proposed regulations will provide greater clarity, transparency and accountability.

Changes are required to the *Fisheries and Coastal Resources Act* to enable changes in language for the new regulations. There are three sets of details in the regulations – aquaculture animal health, environmental management and licensing and leasing. This matter is now before cabinet and it is hoped that by the end of summer these may be in place.

The enforcement aspect has been removed from the Department of Fisheries and Aquaculture and will be placed under the jurisdiction of the Department of Environment. This change is to take effect on July 1, 2015.

Councillor MacInnis indicated that the mussel farm operations in St. Ann's Bay are in his district and he questioned if there was a watchdog in place to see that the conditions contained in the licensing agreement in St. Ann's Bay are adhered to. The mussel buoys are to be below surface and this is not happening, as the buoys are exposed.

Two operations within St. Ann's Bay have a Community Liaison Committee and Mr. Hancock indicated that his department acts as a conduit between the operators and committee. In the last 18 months three meetings have been held and there are attempts to re-establish communications. The buoy issue was brought to their attention.

Councillor MacInnis also mentioned the Englishtown Ferry ice issue as a result of the operations of the mussel farm. The mussel farm was breaking ice, which in turn lead to four or five extra days of downtime for the ferry this past winter/spring season. This issue is of concern to the Department of TIR.

Mr. Hancock indicated that the Minister signs off on all licensing leases and clauses can be added to address concerns. He also mentioned the possibility of municipal representation on the Community Liaison Committee.

Warden Morrison indicated that he and Councillor MacInnis attended a meeting last fall and felt that the request for municipal representation should come from the Committee to Council.

Councillor Grant brought up concern with the enforcement aspect being placed with the Department of Environment. In particular, he expressed concern with regard to DNR enforcement coming under Environment and the possibility of losing positions in Victoria County.

The mussel farms have a management plan on how they operator on a daily basis to comply with the terms of their lease agreement. This is audited and any infractions that are deemed to require enforcement are referred to the Department of Environment.

Whether the First Nations operations followed the same regulations was questioned and First Nations operations that have lease and license on Crown Lands all follow the regulations outlined by the Department of Fisheries and Aquaculture.

Mr. Hancock indicated that he was involved directly in aquaculture for 20 years in the Country Harbour area and is well aware of the challenges and that it is in the best interest of everyone to have well regulated operations. He indicated that the Minister wants to see this matter moved forward and done correctly.

Discussion took place on the enforcement aspect through Department of Environment.

Councillor Dauphinee questioned on the by-products from the mussel operations and whether water quality testing is undertaken. The sites are well monitored and the operations do have to have an environmental monitoring program in place. To date, the results of the monitoring undertaken are good. Access to the monitoring results is available by request to the Department's monitoring supervisor. Hopefully the new regulations will increase transparency.

The production of mussels was discussed. PEI has the largest operation in Atlantic Canada but the non-native tunicates are causing problems at shellfish aquaculture operations in that area. St. Ann's Bay is tunicate free.

Council was advised that the market is strong and the opportunity for growth is there.

The percentage of the lease usage in St. Ann's Bay was discussed. The full mussel leases are not being used at present. The leases for St. Ann's Bay are in the renewal process. The initial lease is for ten years, with renewal every five years thereafter.

After further discussion, Warden Morrison extended a thank you to Mr. Hancock and Ms. Savoie-Swan for their attendance and the information provided.

RECESS

Warden Morrison advised that Council would recess for five minutes.

APPROVAL OF MINUTES – MAY 25, 2015

The minutes of the May 25, 2015, session of Victoria County Municipal Council were presented for approval.

It was moved and seconded that the Victoria County Municipal Council minutes of May 25, 2015, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Letter – Minister of DNR

Councillor Grant brought forward additional information with regard to the letter to be sent to the Minister of Natural Resources concerning the denial of the land exchange request for property the County wished to obtain at Wreck Cove Flowage in exchange for County owned property.

The refusal indicated that the Crown must acquire land which has obvious values for the Government which outweigh the values the Government is losing in the exchange. Councillor Grant indicated that this disproportionate amount of value is not in the interests of the economy of Nova Scotia and felt the present Land Exchange Policy should be reviewed.

The comments concerning the unfairness are to be included in the letter to the Minister of Natural Resources.

Heavy Solid Waste Collection

It was moved and seconded that congratulations be forwarded to the Victoria County Public Works staff and Dingwall Trucking for the excellent job done with the heavy solid waste collection. Motion carried.

Budget Meeting – May 28, 2015

The May 25, 2015, Budget meeting minutes will be circulated and submitted for approval at the next session.

NEW BUSINESS

Draft Workplace Harassment – Discrimination Policy

Sandy Hudson advised that the draft Workplace Harassment – Discrimination Policy which has been reviewed by Council will be forwarded to staff for comments.

Draft Sexual Harassment Policy

The draft Sexual Harassment Policy has been sent to Council for review.

Subdivision By-Law Review Meeting

John Bain, EDPC, has requested that a date be set for review of the Subdivision By-Law.

A meeting will be tentatively scheduled for Monday, June 29, 2015, at 4:00 p.m. prior to Council.

Possible Ban – Plastic Bags

Sandy Hudson advised that there are no municipal units in Nova Scotia that prohibit the use of plastic bags in retail and grocery stores. There are a few areas within Canada that do, and the CAO was requested to obtain further information from these areas if possible.

DISTRICT CONCERNS

District #1

Councillor MacNeil extended a thank you to Warden Morrison, Councillor Dauphinee, Deputy Warden Patterson and his wife, Valerie, for the assistance and care they provided during his recent health incident enroute to the FCM in Edmonton. He also extended appreciation to the rest of Council and his constituents for their concern.

Councillor MacNeil requested that ditching on the Red Point Road, flooding as a result of beavers on the St. Columba Road and the condition of the Gillis Point Road be brought to the attention of the Minister of TIR when he visits tomorrow morning. He also requested that patching of the Washabuck Road be completed as soon as possible prior to the festival in Washabuck.

Councillor MacNeil requested that a letter of congratulations be forwarded to the Central Cape Breton Community Ventures on a successful “World Oceans Day” on Sunday past. Over 700 people attended.

Cape Breton Community Ventures would also like to thank Council for their support.

The residents of cottages on the Red Point Road are looking for access to the municipal water for a nominal fee. Councillor MacNeil indicated that he spoke to Robert Dauphinee about this issue. This matter is to be referred to Public Works.

District #2

Councillor Grant presented a cheque received from the Victoria County Memorial Hospital Foundation for \$594.28 for of money remaining from the helipad project. The Municipality funded the project and the unused funds were returned to the Municipality.

Councillor Grant advised that the Biosphere North East Trails Association will be holding three public meetings on June 25 and 26, 2015. The purpose of the meeting is to provide an overview and obtain public input on the development of a wilderness hiking trail in the Humes River Wilderness Area.

Councillor Grant brought up the concern of the local DNR enforcement staff being transferred to the Department of Environment. Whether these employees will remain in Victoria County was questioned.

It was moved and seconded that a letter be forwarded to the Premier, with copies to the Minister of Environment and Pam Eyking, MLA, expressing concern on the transfer of DNR enforcement staff to the Department of the Environment and questioning if there will be any change in County based staff as a result. Motion carried.

Councillor Grant indicated that he had a number of issues to discuss with regard to solid waste and requested that a meeting of the Solid Waste Committee be called to discuss the issues. A meeting will be arranged between the CAO and the Chairman of the Committee.

District #4

Councillor MacInnis indicated he was contacted by Roy Stockley with regard to a property issue on Rocky Point Road, Ingonish.

Councillor MacInnis and Councillor Dauphinee will meet to discuss this matter.

Veronika Brzeski has developed an website for the LFA27 Management Board and Councillor MacInnis questioned whether this website could put a link on the Victoria County website.

It was moved and seconded that Tom Wilson be contacted to arrange the LFA27 website link on the Victoria County website. Motion carried.

Councillor MacInnis indicated that the wharf at Little River has been condemned and he questioned on whether the County would entertain a presentation from the Harbour Authority of Little River for funding for this project. The federal government has approved funding in the amount of \$1.2 million.

A presentation can be made to Council at a future date.

Councillor MacInnis advised that the requested information on the N-ENS Snow Crab Association's funding application will be provided by Greg Organ.

District #8

Councillor Buchanan brought up a concern with regard to the smell issue from the crab waste used to mix in compost at the Dingwall Transfer Station.

This matter will be investigated.

Councillor Buchanan questioned on the status of the Old Bus Garage in Bay St. Lawrence. Sandy Hudson advised that the ownership of this building cannot be determined. It appears that neither the County nor the School Board have ownership.

Councillor Buchanan indicated that the new pavement in his district was installed four years ago and to date the lines have not be painted on the road. This matter will be addressed with the Minister of TIR tomorrow.

Councillor Buchanan requested that Kim Deveaux be requested to make a presentation to Council on a Youth Council.

District #6

Councillor Dauphinee questioned on the letter to GolfNorth. The letter was sent and will be provided to Council.

It was moved and seconded that a street light order be placed for installation at 49 Tal Pines Estates, Ingonish. Motion carried.

Councillor Dauphinee presented a map of the road where the water tower is located at Ingonish Beach. Residents who live off this road are requesting they be permitted to relocate the gate at their expense.

It was moved and seconded that this matter be referred to the CAO to investigate this issue with the Solicitor. Motion carried.

District #5

Deputy Warden Patterson brought up the matter of interpretive panels at area look offs on the highways in Victoria County.

This matter will be addressed with Stephen MacDonald, Area Manager, DTIR.

It was moved and seconded that a request be submitted to relocate an existing street light from pole next to 8012 Kempt Head Road, Kempt Head, to pole opposite 7979 Kempt Head Road, Kempt Head. Motion carried.

District #3

Deputy Warden Patterson assumed the Chair.

Warden Morrison brought up the matter of proposed toll highways and the highway twinning proposed on Route 4 between St. Peter's and Sydney. This will have a negative impact on Victoria County.

It was moved and seconded that a letter be forwarded to the Premier and Minister of TIR expressing Council's concern on the proposed twinning on Route 4 and the negative impact this will have on Victoria County and request the reasons for this proposal. Motion carried.

CBU are conducting a Rural/Urban Immigration Pilot project for Cape Breton and Warden Morrison advised that Amanda MacDougall has requested a meeting with Council. It is suggested that each Council member take one resident with them to this meeting.

It was suggested that this meeting be held on Friday, July 31, 2015 at 4:00 p.m.

Warden Morrison returned to the Chair.

FIRE SERVICES REPORT

The Provincial Fire Services Report which was just released is an important issue for municipalities. The UNSM Board will be discussing the report at its upcoming meeting on June 26, 2015. The UNSM will work with the AMANS and the Province to ensure all municipalities have an opportunity to review and provide comments.

Council will set up a meeting to discuss this report.

NEXT COUNCIL MEETINGS

The next meeting of Victoria County Municipal Council will be held on Monday, June 29, 2015, at 5:00 p.m. A presentation on the Victoria County Memorial Hospital will be on the meeting agenda.

The July meetings of Victoria County Municipal Council will be held on July 13 and July 27, 2015, beginning at 5:00 p.m.

The Minister of Transportation will be meeting with Council tomorrow morning at 8:00 a.m. Councillor MacNeil and MacInnis extended their regrets as they would be unable to attend.

PROVINCIAL COURT

Councillor Grant questioned on what would be done with the space in the Court House when the Provincial Court leaves.

The fight to retain Court is ongoing, so it was felt nothing would be done in this regard until we definitely know if and when Court is leaving.

ADJOURN

There being no further business, the meeting adjourned at 6:50 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO

