

VICTORIA COUNTY MUNICIPAL COUNCIL

January 22, 2001

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, January 22, 2001, beginning at 5:00 p.m. with Warden Gerald Sampson in the Chair.

Present were:

District #1 – Dan E. MacNeil
District #2 – Shane Toms (Late Arrival)
District #3 – Bruce Morrison, Deputy Warden
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

Absent was:

District #4 – John Graham MacInnes

CALL TO ORDER/APPROVAL OF AGENDA

Warden Sampson called the meeting to order. The agenda was presented for approval.

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

MINUTES

The following minutes were presented for approval:

Victoria County Municipal Council – December 4, 2000
Committee of the Whole – December 18, 2000
Corporate Services Committee – December 19, 2000
Committee of the Whole – January 8, 2001

Discussion took place on the December 18, 2000, Committee of the Whole meeting and the motions pertaining to infrastructure projects and priorities.

It was moved by Councillor MacLellan, seconded by Councillor MacNeil, that the minutes be approved with the exception of Page 3 in the December 18, 2000, Committee of the Whole minutes. Motion carried.

INGONISH BEACH WATER

Courtesy of Council was extended to Ed Carey, Carey Geoenvironmental Engineering; Lynn Baechler, Hydrogeologist; and Peter Gouthro, Department of the Environment, who were in attendance regarding Ingonish Beach Water.

Several wells were tested in the fall of 2000, that showed coliform and fecal coliform counts. He presented Council with background information, leading to the most recent application for funding under the Green Municipal Enabling Fund. This application is for funding for a pre-design study. Mr. Carey indicated that on checking today, he was advised that there should be a response to this application within the next two weeks.

Mr. Carey indicated that there are approximately 175 properties in the Ingonish Beach area. The majority of the building lots are smaller than other communities (30% of the area currently required by the Department of the Environment). The separation distances between the sewage systems and domestic water supplies are not in compliance. Another factor is that the wells are poorly constructed. Mr. Carey advised that to cover the area in question, approximately 4 km of distribution main would be required.

Lynn Baechler advised that the geologic conditions in the Ingonish Beach fall within two categories – granite (wells in granite are low yield wells) and the Windsor Group of sediments that consist of gypsum, shale, limestone, etc. (poor water quality). She presented Council with information on the correct method of well construction - both dug and drilled wells.

Ms. Baechler visited the Ingonish Beach area, along with Mr. Carey, in October, 2000, and reported on her findings. She indicated that for the most part the lots in question are undersized. She advised that the potential sources of contaminants are:

? Inadequate and malfunctioning septic systems

? Grey water drains

- ? Road salt
- ? Fuel oil leaks
- ? Salt water intrusion
- ? Other surface activities

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Ms. Baechler provided both temporary and long term solutions to the water problems in Ingonish Beach. Temporary solutions would include:

- ? Boiling water for 2 minutes
- ? Treating water – chlorination or ultraviolet light
- ? Installing above ground holding tanks for imported water for washing and water coolers for drinking
- ? Cisterns (rain water harvest)

The long-term solution would be to investigate the construction of a central water system.

Discussion took place on the water problems. Peter Gouthro indicated that something must be done in the short term to alleviate the water problems. Councillor Barron indicated that the Canada/Nova Scotia Infrastructure Program is not closed to the submission of an application for Ingonish Beach. If a detailed application is submitted, it will be accepted for consideration.

Mr. Carey presented a detailed cost estimate for water system implementation in the Ingonish Beach area – \$1,800,000.00.

Further discussion took place. Deputy Warden Morrison questioned whether the Department of the Environment would carry out a sanitary survey of the area if requested. Peter Gouthro indicated that this request could be made to the Department of the Environment.

Councillor Barron brought up the possibility of talking to the National Park to see if another line can be put under Fresh Water Lake to service the priority cases in the Ingonish Beach area.

Whether ultraviolet lights would kill fecal coliforms was questioned. The cost of the ultraviolet light system was also discussed and it was indicated the cost would be \$300 to \$700 per system and that replacement light bulbs could cost up to \$100 per bulb.

After further discussion on this matter a vote of thanks was extended to Mr. Carey, Ms. Baechler and Mr. Gouthro.

RECESS

Warden Sampson advised that Council would recess for 15 minutes. The lunch for tonight's meeting was provided by the Baddeck Academy Grade 9 Class Trip Committee, as part of their fundraising efforts.

INGONISH BEACH WATER

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It was moved by Councillor Barron, seconded by Councillor MacLellan, that the County engage the services of a professional water quality specialist, and utilize the pathology laboratory of either UCCB or the QE II, to investigate all possibilities with regard to the Ingonish Beach Water problems and provide us with short-term recommendations for consideration. Motion carried.

These recommendations are to be forwarded to the Water Committee for consideration.

SEWER BY-LAWS

Courtesy of Council was extended to John Bain, Director, Rural Cape Breton District Planning Commission, who was in attendance regarding 1st reading of the proposed Sewer By-Laws.

Mr. Bain advised that first reading would be given to three by-laws. The first by-law is the Sewer Discharges By-Law and this by-law dictates what can and cannot end up in the sewer system. There is a request to consider adding 30-mg/l limit on the amount of ammonia entering the system. If approved, this request should be added as Item Q of Page 7 of the by-law.

The second by-law is the Sewer Connection By-law and the third is the Sewer Services Charges By-Law. A change is required in this by-law to remove Clause 4(b), Clause 4(c) and Clause 5.3.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that Clause 4(b), Clause 4(c) and Clause 5.3 be stricken from the proposed Sewer Services Charges By-Law. Motion carried.

John Bain indicated that the by-laws would be amended as discussed and he indicated that an advertisement must be placed in the paper notifying of the date for second and third readings. He indicated that he would look after drafting the advertisement, once Council sets a date for the second and third readings.

It was moved by Deputy Warden Morrison, seconded by Councillor MacLellan, that the 1st reading of the proposed Sewer Discharges By-Law, Sewer Connection By-Law, and Sewer Services Charges By-Law be accepted. Motion carried.

Brian Trask questioned on the status of the Municipality's responsibility regarding fire inspections. Mr. Bain indicated that the legislation received 1st reading in the House; however, it failed to get 2nd reading. As a result the legislation must go back to 1st reading and this legislation is at least a year away

from approval.

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INGONISH BEACH WATER

Councillor Barron felt that we should proceed with a long-term solution for the Ingonish Beach Water.

Councillor Barron indicated that he would be informing the people of his area that the Municipality is not addressing their problems and he will be contact Service Nova Scotia and Municipal Relations to determine the Municipality's legal responsibilities in regard to providing water to residents.

TAX COLLECTION REPORT

Brian Trask presented the list of tax receivables as of January 19, 2001. There is a balance of \$834,725 owing. Since the last report in December 2000, \$192,038 has been collected. Prior to year-end, another \$196,164 must be collected to get the receivables under the reserve for uncollected taxes. The reserve for uncollected is \$638,561. It is anticipated that this amount will be collected by year-end.

The tax sale has been scheduled and will be held on March 29, 2001, at 2:00 p.m.

WARDEN'S REPORT

Warden Sampson then presented his report outlining meetings he has attended and County business he has dealt with since the last Council meeting held on December 4, 2000 (copy attached).

CORRESPONDENCE

A letter was received from Barb and Don Tower advising that Council's reply to their Council presentation on December 18, 2000, is entirely unsatisfactory. They are requesting that Council and Councillor MacInnes acknowledge that a simple error in judgement occurred regarding the letter that appeared in The Victoria Standard.

Ms. Tower was in attendance and a discussion was held on this matter. Jim Morrow, who was in attendance, indicated that he felt somewhat responsible for the letter being published as it was and would indicate his responsibility in a future issue of his paper.

Ms. Tower indicated that this would not address the issue concerning the contents of the letter and she wanted acknowledgement that an error was made, it will be corrected and such an error will never occur again.

As Councillor MacInnes was absent from the meeting, Warden Sampson indicated that he would discuss this matter with Councillor MacInnes at his first opportunity.

Brian Trask presented a letter from the Department of Economic Development in reply to Council's letter concerning the reinstatement of the Nova Scotia Works Program. The Nova Scotia Works Program was discontinued in 1999. Other employment program initiatives offer by the Department of Community Services and Human Resources Development Canada are more effective in moving unemployed works to long-term employment. These programs are available in Victoria County to help unemployed workers.

OTHER BUSINESS/DISTRICT CONCERNS

District #7

It was moved by Councillor Budge, seconded by Councillor MacLellan, that a letter be forwarded to Charles MacDonald, Department of Transportation and Public Works, requesting that "snowmobile crossing signs" be erected in the area of Roper's Brook in the near future. Motion carried.

District #1

Councillor MacNeil advised that the Alderwood Management Board are requesting the use of the Court Room on Monday, January 29, 2001, at 3:30 p.m. Arrangements will be made to book this room for Alderwood.

District #3

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that \$50 be approved from both the District #2 and District #3 budget for the "Red Bob" Basketball Tournament at Baddeck Academy. Motion carried.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that the \$300 advertising fee for the sign at the Baddeck Curling Club be forwarded to the Club. Motion carried.

Deputy Warden Morrison requested that a "thank you" be forwarded to Eileen Montgomery, Grade 9 Class Trip Committee, for the excellent meal provided for Council this evening.

District #6

Councillor Barron questioned whether Council was still behind the application for study funding for the Ingonish Beach Water under the Green Municipal Enabling Fund. This fund pays 50% of the costs, and he questioned whether Council was committed to the remaining 50%.

He was advised that Council would review this request, if and when the funding is approved.

Councillor Barron requested that Bruce Langille, Department of Transportation, be invited to come to the next meeting to discuss contamination from road salt in the Ingonish Beach area.

District #8

Councillor MacLellan brought up a request from residents of “Josie’s Lane” in Dingwall regarding their roadway. They are questioning an approval for funding that was to have been passed in 1983+/-.

Councillor MacLellan is to advise the residents that the Council minutes are available to them to peruse during regular working hours.

IN CAMERA

Warden Sampson advised that Council would move In Camera.

Council returned to the regular session.

ADJOURN

There being no further business, on motion of Councillor MacLellan, the meeting adjourned.

Gerald E. Sampson, Warden

Brian E. Trask, CAO