

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**February 24, 2014**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, February 24, 2014, 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 #6 – Larry Dauphinee  
District #7 – Wayne Budge  
District #8 – Johnny Buchanan

Also present was:

Heather MacLean, Recording Secretary

Absent were:

District #5 – Fraser Patterson, Deputy Warden (Out of Town)  
Sandy Hudson, CAO (Illness)

**CALL TO ORDER/APPROVAL OF AGENDA**

Warden Morrison called the meeting to order and presented the agenda for approval. The second (final) reading of the Land Use By-Law and Municipal Planning Strategy Concerning the Regulation of Wind Turbine Development and the Wind Turbine Licensing By-Law is to be moved to the first item on the agenda.

**It was moved by Councillor Dauphinee, seconded by Councillor Budge, that the agenda be approved as amended. Motion carried.**

**MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW CONCERNING THE REGULATION OF WIND TURBINE DEVELOPMENT AND WIND TURBINE LICENSING BY-LAW**

A public hearing was held prior to Council on the proposed Land Use By-Law and Municipal Planning Strategy Concerning the Regulation of Wind Turbine Development and the Wind Turbine Licensing By-Law.

**It was moved by Councillor Budge, seconded by Councillor Dauphinee, to approve the second (final) reading of the Municipal Planning Strategy and Land Use By-Law for the County of Victoria Concerning the Regulation of Wind Turbine Development. Motion carried.**

**It was moved by Councillor Grant, seconded by Councillor Buchanan, to approve the second (final) reading of the Wind Turbine Licensing By-Law. Motion carried.**

**PROPERTY VALUATION SERVICES CORPORATION**

Warden Morrison extended the courtesy of Council to representatives from the Property Valuation Services Corporation (PVSC) – Trudy LeBlanc, Senior Advisor, Municipal Client Relations; Diane Beaton, Area Manager; and Lloyd MacLellan, Senior Commercial Manager.

Ms. LeBlanc advised that the PVSC previously presented to Council on April 15, 2013. A presentation was made to the UNSM Board in December, 2013, and Warden Morrison requested PVSC present to Council regarding the impact the Capped Assessment Program has on the Municipality (copy attached).

Ms. LeBlanc presented the profile for the Municipality of the County of Victoria. The 2014 total assessment figures are \$962 million, an increase of \$17 million from 2013. The residential assessment is \$752 million, an increase of \$14 million. The residential assessment with the CAP is \$651 million, an increase of \$12 million over last year; however, it is \$101 million under the uncapped residential assessment. There are 9,161 residential accounts and 650 commercial accounts in Victoria County, for a total of 9,811 accounts.

Ms. LeBlanc explained the appeal process. Property assessed value, classification and ownership can be appealed. The appeal period for assessment appeals is 31 days, up from the 2013 appeal period of 21 days. Appeals were received until February 13, 2014.

The PVSC will review the grounds of appeal and either confirm or amend. If not satisfied with the review, the property owner can go before the Nova Scotia Assessment Appeal Tribunal (appeal court) and if still not satisfied can appeal to the NS Utility and Review Board.

Ms. LeBlanc indicated that a boom in the housing market in the coastal areas occurred in and around 2000. As a result, certain taxpayers were concerned they could lose their homes. The government committed to protect homeowners against sudden and dramatic increases in assessment values. The CAP legislation enacted Section 45A of the *Assessment Act*, effective April 1, 2005. How the CAP program works was outlined.

An outline of the results of the CAP Program to date was provided. In 2005, less than 100,000 of 600,000 accounts were capped. The application process ended for the 2008 assessment roll and in 2013, 373,000 of 600,000 accounts are capped.

The result is that neighbourhood properties of similar market value are paying widely varying tax bills. New home owners experience greater tax bills and property owners improving properties are paying higher tax bills.

Ms. LeBlanc provided information on the increase in market value versus the CAP rate from 2002 to present. The CAP rate is established through the annual increase in the Nova Scotia Consumer Price Index.

In 2009, 5,378 of the 8,117 residential accounts were capped, compared to 5,516 of 8,628 accounts in 2014.

Ms. LeBlanc presented three examples of capped properties in Victoria County, outlining the differences between the current and capped assessments on these properties and the associated tax bills.

A Municipal Tax Study is currently underway with the focus being a review of the current municipal tax system and to identify opportunities for improvement. Enid Slack and Harry Kitchen are the researchers for this study and consultations are now in progress.

Ms. LeBlanc provided her contact information to Council.

Council members outlined situations in their districts with regard to the CAP assessment being removed and discussion took place on these matters.

The PVSC are only enforcing the legislation given to them and the way the legislation is written it is out of their hands.

The Tax Study that is currently underway is looking at ways of making taxation fair and it is very important that Municipalities participate and provide input to this study. The researchers report is to be presented the end of March. Written submissions are also accepted by the researchers.

Discussion took place on waterfront property and it was indicated that the waterfront market is still strong in all of Nova Scotia.

Warden Morrison extended a thank you to the PVSC representatives for their informative presentation and they were excused at this time.

### **RECESS**

Warden Morrison advised that Council would recess for 10 minutes.

### **CLEAR BAG PRESENTATION**

Courtesy of Council was extended to Robert Dauphinee, Director of Public Works, who was in attendance to provide a presentation on clear bags (copy attached).

Mr. Dauphinee explained why municipalities are implementing the clear bag program. In 2006, amendments were made to the *Environment Act* legislating a new disposal target of 300 kg per person per year by the year 2015. Other reasons for implementing a clear bag program include compliance with provincial disposal bans, boosting recycling activity within the municipality, and increasing waste diverted from disposal sites.

A clear bag program refers to the use of a bag that is completely transparent for waste material. A clear bag is used instead of an opaque black/green bag for waste. Privacy bags are opaque bags that are permitted to address public concerns regarding personal waste items.

Mr. Dauphinee indicated that municipalities that have clear bag programs have seen a decrease in transfer and disposal costs for waste sent to landfills. They have also seen increased participation in recycling programs by both the commercial and residential sector. 81% of Nova Scotians who have a clear bag program in place in their municipality are supportive of this program.

Mr. Dauphinee outlined what a clear bag program will mean to Victoria County if implemented. There will be a 10% reduction in disposal in the 1<sup>st</sup> year of the program and 20-30% reduction as the program matures. The transfer and disposal costs could be reduced by up to \$30,000.00 per year after the first year of the program. There will be increased participation levels for all recycling programs. There will also be operational challenges due to the increased material handling at the County recycling facilities.

Mr. Dauphinee outlined the next steps for the program which include:

- Council approval
- Determine a Launch Date
- Update the current Solid Waste By-Law
- Develop the details of the Clear Bag Program
- Prepare an education/communication program
- Start promoting upcoming program changes
- Launch the Clear Bag Program

Discussion took place on the Clear Bag Program and what is required to get the process started.

**It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that the Municipality proceed with a Clear Bag Waste Disposal Program, with the Communications Officer in place by April 1, 2014, to develop a Communications Program prior to an October, 2014, program launch; the required amendments be made to the current Solid**

**Waste By-Law to support the Program; and additional cost estimates of the program be provided to Council as it moves forward. Motion carried.**

Mr. Dauphinee was questioned on whether the Municipality collects solid waste from Meat Cove, Inverness County.

The Municipality does not collect the solid waste from this area, but it does accept the waste at the Dingwall site.

**APPROVAL OF MINUTES – FEBRUARY 10, 2014**

The minutes of the February 10, 2014, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that the Victoria County Municipal Council minutes of February 10, 2014, be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Keltic Lodge**

Councillor Dauphinee requested that a follow up be made with the Honourable Michel Samson, Minister of Economic and Rural Development and Tourism, with regard to the operation of the Keltic Lodge for the upcoming tourist season.

**Meeting in Washabuck**

Councillor MacNeil indicated that there is a meeting tentatively scheduled for Monday, March 3, 2014, at 1:00 p.m. in Washabuck concerning the Washabuck Road. Deputy Minister Paul LeFleche, Bruce Fitzner and Gerard Jessome are to be in attendance.

Whether a meeting could be scheduled with Council on this date was discussed.

**CORRESPONDENCE**

1. Letter from the Canadian Cancer Society concerning a Smoke-Free Outdoor Spaces By-Law for Victoria County.

This letter is to be acknowledged and tabled.

2. Letter from the Unama'ki Institute of Natural Resources, requesting a letter from the Municipality in support of transferring the property within the Little Narrows Gypsum site that is documented to be of cultural and heritage significance to the Mi'kmaq for future management of the archeological resources.

**It was moved by Councillor MacNeil, seconded by Councillor Budge, to provide the letter of support to the Unama'ki Institute of Natural Resources. Motion carried.**

**DISTRICT CONCERNS**

**District #6**

Councillor Dauphinee brought forward the concern with regard to the condition of the highways along the Cabot Trail in his district. This is a deterrent to tourism in the area.

**It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that a letter be forwarded to the Honourable Michel Sampson, Minister of ERDT, and the Honourable Geoff MacLellan, Minister of TIR, expressing concern on the lack of work carried out or planned on the Cabot Trail in the Ingonish area and that this area be included in the Department of TIR's 5 –Year Plan. Motion carried.**

**District #7**

Councillor Budge indicated that nothing has been done with regard to the condition of the power pole by the garage in Neil's Harbour. Contact is to be made with the NSPI Resolve Team.

Councillor Dauphinee indicated there is a similar situation with regard to a power pole on the Beach Crossing Road in his district.

**District #8**

Councillor Buchanan requested an update on the status of the Bay St. Lawrence Water Project and also requested that the cost of providing water from the bottom to the top of the hill in Cape North be investigated.

Councillor Buchanan also requested that a follow up be done with regard to the name of the lady to contact with regard to programs for mentally/physically challenged individuals in the North of Smokey area.

**District #2**

Councillor Grant indicated that he was contacted by the brewing company in Nyanza with regard to the cost of propane. What cost 46.6 cents per litre last year is now over \$1.00 per litre.

**It was moved by Councillor Grant, seconded by Councillor Budge, that a letter be forwarded to the Nova Scotia Utility and Review Board expressing concern with regard to**

**the non-regulated price of propane and what can be done with regard to this matter. Motion carried.**

**District #1**

Councillor MacNeil indicated that a street light located at the residence of an elderly woman in Little Narrows has been repaired twice and NSPI have indicated that they will no longer repair the light as it is not a regulation street light. The light is not paid for by the elderly resident, so it is deemed to be a County light.

The NSPI Resolve Team are to be contacted with regard to this light.

Concern was expressed that residents on Irving Oil's monthly fill up are now waiting weeks to get their oil tanks filled this winter.

**It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that a letter be forwarded to Irving Oil in Sydney with regard to the concern of residents regarding the lack of regular fill up of their oil tanks. Motion carried.**

**District #3**

Warden Morrison advised that under the Active Transportation Plan for Victoria County, the location of a bike rack in every district has been included. Councillor members are to advise Warden Morrison or Tom Wilson on where they would like the bike racks located within their districts.

Warden Morrison also requested that the Department of TIR be contacted with regard to the lack of plowing, salting and clearing of snow on the Long Hill Road.

Also the condition of the approach to the temporary bridge at Humes River is a concern and is to be addressed to the Department of TIR.

**COMMITTEE REPORTS**

**Affordable Housing Committee**

Councillor Buchanan indicated that the Affordable Housing Committee met earlier today and has decided to hold 4 to 5 open houses on affordable housing.

**It was moved by Councillor Buchanan, seconded by Councillor Grant, that the open houses with regard to Affordable Housing be held in late April/early May and the services of Alicia Lake be engaged to conduct the open houses. Motion carried.**

**Age-Friendly Committee**

Deputy Warden Patterson has requested that Councillors provide the names of their representatives for the Seniors Coalition.

**PROVINCIAL VOLUNTEER RECOGNITION PROGRAM**

Warden Morrison advised that there were three submissions for Victoria County's representative to attend the Provincial Volunteer Recognition ceremony in Halifax.

The submissions were read and included:

Dan MacNeil – Nominated by North Highlands Nordic Ski Club

Tim Reynolds – Nominated by Hike the Highlands Festival

Hugh and Linda MacKinnon – Nominated by Nova Scotia Highland Village

Council then rated the three submissions and Warden Morrison announced that Dan MacNeil will be the County's representative attending the Provincial Volunteer Ceremonies in Halifax.

**EXTERNAL ORGANIZATIONS TAX EXEMPTION BY-LAW**

**It was moved by Councillor Buchanan, seconded by Councillor Budge, that first reading of the External Organizations Tax Exemption By-Law be approved. Motion carried.**

**EMERGENCY MANAGEMENT BY-LAW**

**It was moved by Councillor Budge, seconded by Councillor Dauphinee, that the first reading of the Emergency Management By-Law be approved. Motion carried.**

**PUBLIC HEARINGS ON BY-LAWS**

The Public Hearing on the proposed External Organizations Tax Exemption By-Law and Emergency Management By-Law will be held on Monday, March 24, 2014, prior to Council.

**ADJOURN**

**There being no further business, on motion of Councillor MacInnis, seconded by Councillor Buchanan, the meeting adjourned.**

Bruce Morrison, Warden

Sandy Hudson, CAO

