

VICTORIA COUNTY MUNICIPAL COUNCIL
February 27, 2006

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, February 27, 2006, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Dan E. MacNeil, Deputy Warden
District #2 – Keith MacCuspig
District #3 – Bruce Morrison
District #4 – John Graham MacInnes
District #5 – Fraser Patterson
District #6 – Lawrence Barron
District #7 – Wayne Budge, Warden
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Budge called the meeting to order.

AGENDA/TIME TO ADJOURN

It was moved by Councillor MacInnes, seconded by Councillor MacCuspig, that the agenda be approved as presented and the time to adjourn be set at 7:00 p.m. Motion carried.

DESTINATION CAPE BRETON ASSOCIATION

Courtesy of Council was extended to Sandra MacDonald, General Manager, Destination Cape Breton Association.

Ms. MacDonald indicated that she was in attendance at the request of Council to answer questions and concerns regarding the proposed marketing levy. She indicated that letters, containing an information sheet on the marketing levy, were forwarded to all Council Members, and she distributed copies of the presentation made to the Steering Committee in August, as well as a copy of Destination Cape Breton Association's financial statements.

Ms. MacDonald addressed the Canadian Federation of Independent Business letter to Council. She indicated that the proposed marketing levy does not apply to campgrounds. The levy will be for generic island wide marketing and will not be used for meetings and conventions. The HST is a federal government issue and must be charged on top of the levy. In instances when tourists purchase packages, the levy will only apply to the room aspect of the package.

CBRM are proposing charging a 2% levy, with 1.5% being used for generic marketing and the remaining .5% being used for convention promotion, off season events, etc. for CBRM. This fact was discussed and debated. CBRM are asking their operators if they agree with the 2% levy and if they don't agree, CBRM will not proceed with the 2% levy.

Questions were raised on the responsibility for enforcement of non-compliant businesses. Communication was felt to be a problem with this process.

Bill No. 267 – Cape Breton Island Marketing Levy Act has passed the required readings and received Royal Assent on December 8, 2005. The Act has not been proclaimed as law by the Governor in Council as yet. The Act states that each municipal shall enact a by-law.

Some of the smaller tourist operators have concerns with the levy. They have received information packages outlining the requirements and an application form for them to register.

Gary Corsano, Solicitor for Destination Cape Breton Association, entered at this time. He indicated that the Marketing Levy Act requires municipal units to pass a by-law. On October 27, 2005, an advertisement was circulated in the *Cape Breton Post* inviting comments on the proposed *Cape Breton Marketing Levy Act*.

Ms. MacDonald indicated that much of the information being requested is contained in the Steering Committee report. The numbers of fixed roof accommodations in Victoria County was questioned.

Ms. MacDonald indicated that there are 1234 rooms in Victoria County. 802 of these rooms took part in the survey and of these 789 were in favour of the levy and 13 were against. 432 rooms did not take part in the survey. Of the surveys completed for Victoria County, 98% were in favour of proceeding with the levy.

Ms. MacDonald stated that this is an opportunity to gain marketing dollars for promotion of Cape Breton Island. There may be problems, but once the plan is developed, consultation with the tourism industry will be ongoing on an annual basis. The industry will be consulted and have input.

Destination Cape Breton Association is willing to work with the operators and address the concerns and assist them in filling out the paperwork required.

Further discussion took place and Ms. MacDonald and Mr. Corsano were extended a vote of thanks for their attendance.

GAS TAX CHEQUE PRESENTATION – VILLAGE OF BADDECK

Warden Budge then called upon Eddie Keeling, Chairman of the Village of Baddeck, and presented the Village with a cheque in the amount of \$21,229.80, the Village's share of the Gas Tax allotment.

Mr. Keeling thanked the CAO for meeting with the Village to negotiate the agreement, Councillor Morrison for bringing the matter forward to Council and to Council for approving the gas tax allocation for the Village. He indicated that this money will be used to replace the waterline on Mechanic and Prince Streets.

PRESENTATION

Warden Budge advised that Heather MacLean and Denise MacKinnon have received their Certified Municipal Manager designation through the Association of Municipal Administrators of Nova Scotia. He then called upon Heather MacLean who was presented with her CMM pin and a bouquet of flowers.

Sandy Hudson will present Denise MacKinnon with the same tomorrow.

RECESS

Warden Budge announced that Council would recess for 10 minutes.

APPROVAL OF MINUTES – JANUARY 16, 2006

The minutes of the January 16, 2006, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacInnes, seconded by Councillor Morrison, that the January 16, 2006, minutes of Victoria County Municipal Council be approved as presented. Motion carried.

PRESENTATION – CONCERNS IN BAY ST. LAWRENCE

Courtesy of Council was extended to Willena MacKinnon who was in attendance to make a presentation regarding concerns about the community of Bay St. Lawrence.

Ms. MacKinnon indicated that as a resident of Bay St. Lawrence she has concerns with regard to the crime and conditions in the community. For the past 6 months her home and vehicle have been vandalized on several occasions. She called 911 and the response time was 1 hour and 40 minutes. She felt this is unacceptable.

She has been forced to move outside her community and is presently on stress leave from her job. She indicated that all her civil rights as a Canadian citizen have been taken from her. The community is under siege from drug dealers and youth who are addicted to drugs. Something has to be done to protect the rights of the citizens of the community.

She requested Council to give consideration to locating an RCMP member in the community of Bay St. Lawrence.

Councillor Patterson requested permission for a resident from his district, Gerald Sampson, MLA, to address Council.

Mr. Sampson reported that as a result of a meeting held in Ingonish on February 9, 2006, he met with the Minister of Justice to bring forward concerns with regard to Bay St. Lawrence and the possibility of placing a RCMP Officer in the community. He reported on the meeting.

Mr. Sampson indicated that on speaking with Sgt. Densmore, Ingonish Beach Detachment, he was advised that the presence of high speed internet has allowed for the creation of a confidential work station in the RCMP residence in Dingwall. Additional funding has been received for a computer for this work station. Also funds have been made available to allow for the purchase of an additional taser.

The option of going with District Policing in Victoria County is also a possibility. This would put a Staff Sgt. in charge of Victoria County and would result in the equivalent of an additional member in the field.

The requested change in Court from Fridays to Mondays will also make a difference in policing within the Ingonish Beach Detachment.

A new Minister of Justice has been appointed and he is the Honourable Murray Scott.

Mr. Sampson thanked Council for allowing him the opportunity to speak and he was in turn extended a vote of thanks.

Discussion took place on how to proceed.

It was moved by Councillor Patterson, seconded by Councillor MacCuspic, that an RCMP Steering Committee be established comprising of all Council Members. Motion carried.

This Committee will investigate with the RCMP, the options available to assist in this regard. A meeting with the RCMP and the Committee will be arranged as soon as possible, with a report available for the upcoming Council meeting on March 13, 2006.

Ms. MacKinnon was advised that the residents of Bay St. Lawrence will be kept apprised of the Committee's actions.

Ms. MacKinnon was extended a vote of thanks and excused at this time.

BUDGET UPDATE – 2006/07

Sandy Hudson presented Council with a preliminary budget figures outlining the effect the 25% refund on commercial taxation and the decrease in the business occupancy tax will have on the 2006-2007 budget.

Business occupancy will decrease by \$105,000 this year and the refund for the 25% commercial taxation will be \$123,000.

The 25% rebate applies to any fixed roof accommodation that is closed for four months of the year. Of all municipal units in the province, Victoria County is the most effected by this category. Discussion took place.

It was moved by Councillor Patterson, seconded by Councillor MacInnes, that a letter be forwarded to the Minister of Service Nova Scotia and Municipal Relations, with copies to the Premier and the local MLA, outlining concerns with regard to this legislation. Motion carried.

Further discussion took place on the budget. The past couple of years, a meeting was held to deal with just budget and it was felt this would a beneficial again this year. As a meeting with RCMP will be held as soon as it can be arranged, it was felt that the budget meeting could be held at the same time.

A draft budget will be brought to Council on March 13, 2006.

DISTRICT CONCERNS

District #3

Councillor Morrison indicated that he had one item he would like to bring up at an In Camera meeting.

District #2

It was moved by Councillor MacCuspic, seconded by Councillor Morrison, that \$1,000.00 be approved for the Middle River Volunteer Fire Department from the District #2 budget. Motion carried.

District #1

It was moved by Deputy Warden MacNeil, seconded by Councillor MacCuspic, that \$2,500.00 be approved from the District #1 budget for the Iona Legion to assist in the purchase of a new furnace. Motion carried.

Deputy Warden MacNeil advised that he would be meeting with the Regional and Area Managers of the Department of Transportation and Public Works to discuss local highway issues next week.

District #6

Councillor Barron presented the following resolution to Council:

RESOLUTION – CABOT HIGH SCHOOL MULTI-USE SPORTSFIELD

WHEREAS the Cabot High School provides an important venue for sports and physical activity for youth in communities North of Smokey;

AND WHEREAS the Cabot High School Sports Committee has been working for the past 18 years to turn this facility into a modern and multi-use sportsfield venue for youth and the communities North of Smokey;

AND WHEREAS today's focus is on Active Physical Activity for youth in communities throughout Nova Scotia;

AND WHEREAS the proposed multi-use sportsfield for Cabot High School, along with a running track, will increase physical activity for youth and provide new activities as well opportunities to host events;

AND WHEREAS the Cabot High Sportsfield Committee has raised \$80,000.00 to date;

THEREFORE BE IT RESOLVED that the Municipality of the County of Victoria support this project and recommend it to the Municipal Rural Infrastructure Program (MRIF) under the strategic component of this program.

It was moved by Councillor Barron, seconded by Councillor Patterson, that this resolution presented on the Cabot High Multi-Use Sportsfield be approved and Victoria County Municipal Council support their application under the strategic component of the MRIF Program. Motion carried.

Councillor Barron indicated that he would like to see “No Engine Breaking” signs erected in the Ingonish Ferry area.

It was moved by Councillor Barron, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation requesting that the speed limit in the Ingonish Ferry area be reduced to 50 km per hour and “No Engine Breaking” signs be erected in this area. Motion carried.

EXCUSED

Councillor MacInnes was excused at this time.

CORRESPONDENCE

1. Letter from Jamie Chisholm, P. Eng., Department of Transportation & Public Works, regarding cost shared paving of local and subdivision streets for 2006/07.
2. Request from Cape Breton Crime Stoppers Association for an annual grant in the amount of \$2,500.00.
3. Request from the Community Learning Association North of Smokey for assistance in the amount of \$24,000.00 from the Municipality in the 2006/07 budget.

It was moved by Councillor Morrison, seconded by Councillor MacLellan, that the requests for financial assistance be referred to budget talks.

4. Correspondence from the Canadian Federation of Independent Business regarding the Business Occupancy and Assessment Tax.
5. Letter from the Nova Scotia Utility and Review Board regarding the application to the Board under Section 369, of the *Municipal Government Act*

regarding the number and boundaries of polling districts and the number of Councillors.

IN CAMERA

It was moved by Councillor Morrison to move In Camera.

Council returned to regular session.

It was moved by Councillor Morrison, seconded by Councillor Patterson, that Sandy Hudson investigate this property issue, and if favourable request the Solicitor to prepare an option on this property. Motion carried.

VACATION

Sandy Hudson advised that he will be taking vacation form the period March 23-April 18, 2006.

ADJOURN

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

Wayne Budge, Warden

A. W. (Sandy) Hudson, CAO