

VICTORIA COUNTY MUNICIPAL COUNCIL
March 10, 2008

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 10, 2008, beginning at 5:45 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Paul MacNeil
District #2 – Keith MacCuspic
District #3 – Bruce Morrison
District #4 – John Graham MacInnes, Deputy Warden
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.

APPROVAL OF AGENDA

The agenda was presented for approval. One addition was noted to the agenda – a brief presentation by Eddie Keeling, Chair of the Village of Baddeck.

It was moved by Councillor Morrison, seconded by Councillor MacLellan, that the agenda be approved with the addition of the Village of Baddeck presentation. Motion carried.

VILLAGE OF BADDECK

Courtesy of Council was extended to Eddie Keeling, Chairman of the Village of Baddeck.

Mr. Keeling indicated that 2008 is the 100th anniversary of the Village of Baddeck and the Village are planning to host two events. The first event will be a centennial supper to be held at the Masonic Hall, Baddeck, on April 16, 2008. He invited Council and staff to attend this event and indicated that the MLA and MP have also been invited

to attend. The second event is a re-enactment of a mail run from Baddeck to Iona and return and a parade. Wagmatcook First Nation have been invited to participate in this event and Mr. Keeling indicated that a CD of the event will be compiled and would be for sale to the public at a later date.

The Village are budgeting \$8,000.00 for these two events. They are requesting that the Municipality cost share these events 50% with the Village.

Mr. Keeling was extended a vote of thanks for his presentation.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that the request for 50% funding (\$4,000.00) for the Village 100th Anniversary events be referred to budget for consideration. Motion carried.

APPROVAL OF MINUTES – FEBRUARY 4, 2008

The minutes of the February 4, 2008, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that the Victoria County Municipal Council meeting minutes of February 4, 2008, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

At the Cape Breton District Health Authority presentation to Council, John Malcom, CEO of the Health Authority, suggested that Council have healthy snacks such as fruit and vegetables, and Mr. Hudson advised that as a result fruit has been made available for tonight's meeting.

A reply to Council's letter concerning the close out plans for the Crowdis Mountain Septage Lagoon was received and it was indicated that Sharon Munroe would be available to appear before Council.

It was moved by Councillor MacCuspig, seconded by Councillor Morrison, that Sharon Munroe be invited to appear at the April Session of Council to report on the Crowdis Mountain Septage Lagoon closeout. Motion carried.

ALTERNATE ENERGY PRESENTATION

Courtesy of Council was extended to Gerald Sampson who was in attendance to make a presentation on an alternate energy idea.

Mr. Sampson thanked Council for the opportunity to appear before them. He indicated that Council has been proactive in the past with regard to recycling, broadband, the Pitu'paq Committee, etc. so being a leader is not new to this County. He indicated that he was bringing forward a new idea for Council's consideration, that of harnessing tidal power for energy.

He indicated that the wind turbine projects for energy production have been somewhat controversial. The technology he is proposing is the open centre underwater turbine technology. These turbines are located underwater and operate with the tides. There are a number of assets with this type of technology. It more predictable in that the tides/currents are predictable, is emission free, has low environmental impact and is below the surface of the water and therefore, not visible. Water is also denser than air; therefore, it is a more efficient technology.

The possibility of locating this type of technology in the Great Bras d'Or Channel was discussed. It has been identified as a possible site for same.

Mr. Sampson indicated that the Nova Scotia government has approved \$250,000.00 to fund a strategic environmental assessment of the technology that will provide a policy framework for developers. No decisions on this project will take place until the environmental assessment is complete and it will be 2009 or 2010 before any turbines are put in the water.

The open centre technology will allow for marine life to be unaffected and they will also not impact marine transport. Mr. Sampson suggested that Victoria County be a lead agency or operator of such a power generating facility, with investors.

Mr. Sampson indicated that the Discovery Channel aired a program on this technology on various occasions last week and Nova Scotia Power had a segment on this program.

Mr. Sampson indicated that this is a preliminary presentation and there are sites on the Internet that can be accessed for more information on the open centre turbine power generation technology. He was bringing the information forward with the possibility that the Municipality will entertain forming a Committee or appointing someone to look into this technology for the benefit of the Municipality and the taxpayers.

Mr. Sampson introduced Anthony Hendriksen to Council. Mr. Hendriksen is a fisherman and he indicated that research has indicated that this technology will not affect the species of fish that are located in the Great Bras d'Or. The cost of the technology to provide power to 1000 homes is approximately \$8 million dollars and the technology has a life expectancy of 40 years.

Mr. Hendriksen said he could not speak for all fishermen in his fishermen's group, but many are interested in being involved in such a project. He indicated that the technology can be modified to accommodate the location. He stated that he felt this is an opportunity that should not be missed.

After further discussion, the gentlemen were extended a vote of thanks for their presentation.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that that this matter be referred to the Community Development Committee for review and consideration. Motion carried.

Mr. Sampson and Mr. Hendriksen left at this time.

DOG CONTROL BY-LAW

A public hearing was held prior to Council with regard to the adoption of a new Dog Control By-Law for the Municipality.

No public submissions were received at the public hearing.

It was moved by Deputy Warden MacInnes, seconded by Councillor Patterson, that the second (final) reading of the Dog Control By-Law be approved. Motion carried.

VILLAGE BORROWING

It was moved by Councillor Morrison, seconded by Councillor MacNeil, that the Municipality guarantee temporary borrowing for the Village of Baddeck in the amount of \$170,250.00. Motion carried.

RECESS

Warden Budge announced that Council would recess for coffee.

MUNICIPAL BORROWING

It was moved by Councillor Patterson, seconded by Councillor MacCuspic, that temporary borrowing in the amount of \$750,000.00 be approved for the Municipality. Motion carried.

DISTRICT CONCERNS

District #2

It was moved by Councillor MacCuspic, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting the guardrail be installed in the area across from Civic Address #2083 Cabot Trail, Middle River. Motion carried.

District #1

Councillor MacNeil brought up the matter of the MacKinnon's Harbour Survival Association. The Association is investigating carrying out some dredging in the harbour. The costs are not known at present. The harbour lost its harbour status a number of years ago.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that a letter be forwarded to the Department of Natural Resources concerning MacKinnon's Harbour. Motion carried.

District #6

Councillor Barron brought up the matter of the future of Enterprise Cape Breton Corporation (ECBC) and the fact that the federal government are reviewing its mandate. ECBC is important to Cape Breton and would be a big loss to Cape Breton if it were to be discontinued.

It was moved by Councillor Barron, seconded by Councillor MacNeil, that a letter be forwarded to the Minister Responsible for ACOA in support of ECBC. Motion carried.

Councillor Barron indicated that the radius for applying for bilingual jobs with Parks Canada has been extended from 50 miles to 500 miles. This allows people from all over to apply for jobs in the Cape Breton Highlands National Park, making it more difficult for the local residents to obtain jobs.

It was moved by Councillor Barron, seconded by Deputy Warden MacInnes, that a letter be forwarded to the Federal Minister of Environment, with copies of our MP and MLA, requesting that the requirements for applying for bilingual jobs with the Park be reduced to the 50 mile radius from the 500 mile radius, as it used to be. Motion carried.

APPOINTMENT OF RETURNING OFFICER

Municipal Elections will take place on October 18, 2008. The appointment or re-appointment of the Returning Officer is required by March 15, 2008.

It was moved by Councillor Patterson, seconded by Deputy Warden MacInnes, that Sandy Hudson be reappointed Returning Officer and Joan MacInnes be reappointed as Assistant Returning Officer for the upcoming Municipal Elections on October 18, 2008. Motion carried.

In keeping with the election, Sandy Hudson questioned whether Council wished to undertake an enumeration for the election.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that an enumeration be carried out for the upcoming Municipal Election and staff be responsible for hiring the enumerators. Motion carried.

BADDECK PLANNING AREA

Sandy Hudson advised that at the last Planning Advisory Committee meeting discussion focused on the planning area boundary. The Committee would like to see the boundaries of the zoning area extended to include properties presently serviced with both Village sewer and water. They are requesting Council for support in principle to extend the boundaries of the planning area.

It was moved by Councillor Morrison, seconded by Councillor MacNeil, that Council approve in principle the extension of the Baddeck planning area boundaries to include properties outside the present zoning area that are presently serviced by both Village water and sewer. Motion carried.

CONSOLIDATION OF WATER UTILITIES

The possibility of consolidating the four (4) water utilities into one Victoria County water utility was discussed. This would be more cost effective and assets could be used and shared among the utilities.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that an investigation take place and if it is deemed advisable, the Municipality undertake a consolidation of the 4 water utilities into one Victoria County Water Utility. Motion carried.

Discussion took place on the operators of our water utilities. There is currently nothing in writing with regard to our operators and Mr. Hudson is presently working to have contracts drawn up by the end of March, 2008. He will also be investigating the

matter of liability insurance for our operators with MacCoy Insurance. The operators are also looking for an increase in wages.

Discussion took place on the responsibilities of our water utility operators and Mr. Hudson advised that they are all properly trained. Water is tested every day and sent to the lab for analysis weekly.

Source water protection plans are to be completed for all utilities and Robert Dauphinee is presently working on these plans.

POLICE ADVISORY COMMITTEE

Some time ago, an advertisement was placed for public interested in serving on the Police Advisory Board. No replies were received.

The Municipality must form a Police Advisory Committee and Council are to investigate whether there is anyone interested in serving on same for next meeting.

DOG CONTROL

Now that the Dog Control By-Law has been approved, the hiring a staff to carry out the duties of the by-law was discussed. Sandy Hudson will negotiate with the Union in this regard and is requesting that two positions be created – one for the northern area of the County and one for the southern area.

It was moved by Councillor Patterson, seconded by Councillor MacCuspic, that the CAO be authorized to advertise for two Dog Control Officers for the Municipality – one for the southern area and one for the northern area of the County. Motion carried.

EDUCATION POSITION

Sandy Hudson advised that there is funding available from the RRFB for education and it is being suggested that an education coordinator be hired while these funds are available.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that the CAO investigate contracting the services of an Education Coordinator for a two year contract, renewable depending on the availability of funding from the RRFB. Motion carried.

MEETING WITH MINISTERS

Warden Budge reported on the meeting held with Minister Jamie Muir on the mapping position. The meeting was productive and it was indicated that the mapping position will be retained in Victoria County.

It was moved by Councillor Patterson, seconded by Deputy Warden MacInnes, that a letter be forwarded to the Honourable Jamie Muir, Minister of Service Nova Scotia and Municipal Relations, and Keith Bain, MLA, thanking them for their attention and action on the mapping position for Victoria County. Motion carried.

Sandy Hudson indicated that Honourable Cecil Clarke, Minister of Justice, met briefly with himself and Warden Budge and he was provided with a copy of the Court Schedule for Baddeck. He was unaware of the schedule and will discuss same with the Chief Justice.

Mr. Hudson also advised that he was contacted by Shauna Wilson, Court Services, concerning possible facilities for Court in the Ingonish area. In April/May sites will be investigated for possible teleconferencing court sessions from Ingonish.

Honourable Judy Stretch, Minister of Community Services, also met briefly with Warden Budge and the CAO and she will investigate community services staffing matters in Victoria County.

CORRESPONDENCE

1. Letter from Louis deMontbrun, CA, Director of Finance, Property Valuation Services Corporation, advising that the Municipality's assessment costs for 2008/09 are \$193,229.81 and the first quarter payment is due on March 15, 2008.

As the Corporation does not assume the responsibility from the Province for the provision of assessment services until April 1, the Municipality will not be forwarding payment until after that date.

2. Requests for financial assistance were received from the following:
 - North Highlands Community Organization
 - Village of Baddeck
 - Northern Victoria Community Centre
 - Cape Breton Crime Stoppers Association
 - Nova Scotia/Cape Breton Crimestoppers Provincial Campaign Office

It was moved by Councillor Morrison, seconded by Councillor Patterson, that these requests for funding, and future requests for funding received, be referred to the Budget Committee for consideration. Motion carried.

IN CAMERA

It was moved by Deputy Warden MacInnes, seconded by Councillor Barron, to adjourn to an In Camera meeting.

REGULAR SESSION

Council returned to regular session.

It was moved by Councillor MacCuspik, seconded by Deputy Warden MacInnes, that the actions discussed In Camera be implemented. Motion carried.

ADJOURN

There being no further business, on motion of Deputy Warden MacInnes, the meeting adjourned.

Wayne Budge, Warden

A. W. (Sandy) Hudson, CAO