

VICTORIA COUNTY MUNICIPAL COUNCIL
March 10, 2014

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 10, 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 #6 – Larry Dauphinee
District #7 – Wayne Budge
District #8 – Johnny Buchanan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

Absent were:

District #4 – Merrill MacInnis (Out of Town)
District #5 – Fraser Patterson (Out of Town)

CALL TO ORDER/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and presented the agenda for approval.

It was indicated that the Gaelic Council of Nova Scotia presentation has been cancelled for this evening.

It was moved by Councillor Buchanan, seconded by Councillor Grant, that the agenda be approved with the noted deletion. Motion carried.

Warden Morrison indicated Council's pleasure on having members of the K147 Baddeck Sea Cadets, their Commanding Officer, Don Tower and Training Officer, Dick Grubb, in attendance to watch Council proceedings.

FERRY OPERATIONS

Warden Morrison extended the courtesy of Council to John Majchrowicz, Manager, Marine Services; Ian Burke, Coordinator of Security; and William Horton, Captain; Department of Transportation and Infrastructure Renewal, who were in attendance to discuss the ferry operations in Victoria County.

Council provided the gentlemen with introductions, outlining the districts they serve. Warden Morrison indicated that two Council members were absent, Councillor Merrill MacInnis, whose district includes the Englishtown Ferry, and Deputy Warden Fraser Patterson.

Mr. Majchrowicz indicated that he has been in his position for one and one-half years and he provided Council with an outline of ferry operating methods. He presented pictures of St. Ann's Bay and what they are up against with regard to ice issues at the Englishtown Ferry.

Slush ice can hide pack ice which can create problems and which was responsible for the ferry incident in LaHave early this year. The ice also can plate with the force of the tide and the wind going in and out in the Bay.

This 2013-14 winter season has seen unseasonably bad weather, with an excessive number of snow storms, which also presents difficulty with the ferry operation.

The ferry operation is governed by Transport Canada and their regulations and safety specifications have to be followed.

The design of the ferry and the access ramps were discussed. The Torquil MacLean is a 220 ton vessel and twice in its history the cable has snapped. It was put into service in 2008.

Councillor Dauphinee indicated that the reliability of the ferry service is a deterrent to the economy in the north of Smokey area. If the ferry is not operating in winter, people will not travel to the area and the wait times in the summer also affects those travelling to the northern area of the County.

It was indicated that ice is a problem every year and this year the winter started sooner and the temperatures are colder and this has an impact on the ferry operations.

Mr. Majchrowicz advised that the Cabot Strait is in "condition red", meaning that it is 80% to 90% ice right now. This could create a problem if the ice breaks and starts moving.

Whether a better designed vessel could be located at Englishtown was questioned. Also whether a power ferry would be better and more adaptable at this location was questioned.

The cost of ferry operations in the province was discussed. Mr. Majchrowicz indicated it is an \$8 million operation, with 9 ferries in 7 different operations. Englishtown and Little Narrows are the two biggest revenue generators for the province in the ferry system.

Councillor Budge indicated that the residents should be informed on why the ferry is out of operation so much. He felt it would be beneficial to come up with something that could be distributed to the residents.

Discussion took place on the cost benefits of a bridge at the Englishtown location as opposed to a ferry operation. It was indicated that the current at this location would make for a difficult design.

Councillor MacNeil expressed concern with regard to the warning signs at the Little Narrows Ferry to indicate the ferry is not operating. It was indicated that it takes time to get the warning signs out for the public to see and whether a flashing light could be placed on the sign was questioned. Lights tend to catch the public's attention. Mr. Majchrowicz indicated he would check into this matter.

Mr. Majchrowicz advised of a change in operation in that William Horton is now in charge of both the Little Narrows and Englishtown Ferries.

Discussion took place on why a refund cannot be provided to residents who have ferry passes for the time the ferry is out of service. Mr. Majchrowicz indicated that the policy is no refund as the service disruption is an "Act of God".

Warden Morrison brought up the frustration felt by Councillor Merrill MacInnis because the Englishtown Ferry directly affects his district. Councillor MacInnis requested that Warden Morrison question on the five minute wait rule. There is no five minute wait rule. They operate on a load and go basis, but must do a count of passengers as required by Transport Canada before leaving the dock.

Warden Morrison indicated that frustration with the ferry operation, particularly at Englishtown, is a recurring topic of Council every other month and he felt there should be a better way of communicating with the public. Residents understand safety, but do not appreciate inconvenience.

The alternate route to travel when the ferry is out of service was also discussed. The road on the detour route is very rough.

Mr. Majchrowicz advised that the Torquil MacLean will be taken out of service for 6 to 7 weeks to undertake necessary repairs and refitting. A tender has been awarded and the ship will be towed to Pictou to have the work completed. The Scotian will be put into service at this location. It is presently on dry dock at Meteghan and will be sailed down and put on the cable. This ferry is smaller than the Torquil MacLean in that it is a 12 car ferry as opposed to the current 15 car ferry.

Mr. Majchrowicz also advised that beginning on April 7, 2014, both the Englishtown and Little Narrows Ferries will be out of service for routine maintenance every Monday and Thursday between the hours of 1:00 a.m. and 2:30 a.m. It was indicated that in an emergency, the ferries will return to service. This action is being undertaken to provide a safe and reliable service to the motoring public and will be posted at both ferries.

Further discussion was held at Warden Morrison indicated that there would be more discussion as we move forward and he was sure Councillor MacInnis would like to meet on this issue. Mr. Majchrowicz indicated his willingness to come back to address any issues or concerns in the future.

RECESS

Warden Morrison advised that Council would recess for 10 minutes.

APPROVAL OF MINUTES – FEBRUARY 24, 2014

The minutes of the February 24, 2014, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacNeil, seconded by Councillor Dauphinee, that the Victoria County Municipal Council minutes of February 24, 2014, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

PROPERTY VALUATION SERVICES CORPORATION (PVSC)

The PVSC presentation made at the February 24, 2014, Council meeting is to be forwarded to Council for their information.

MEETING – KELTIC LODGE

Sandy Hudson advised that meeting has been requested with the Honourable Michel Samson, Minister of Economic and Rural Development and Tourism, to discuss three issues – the operation of the Keltic Lodge, Cabot Trail upgrade and economic development issues.

The Minister has indicated his willingness to meet in Halifax while the House is in Session. When a date and time is known, Council will be informed and a decision on who will attend will be made at that time.

MEETING – WASHABUCK

Councillor MacNeil updated on the meeting held in Washabuck with the Deputy Minister and other Department of Transportation and Infrastructure Renewal representatives concerning the Gillis Point Road, Washabuck. There were between 50 to 60 citizens in attendance and they voiced their feelings to the representatives. Four scenarios were presented and those in attendance wanted new pavement starting with the worst section first. No major construction

will occur this year, just patching and spreader patching and it is anticipated major construction will begin in 2015.

Other Council members met with the TIR representatives following this meeting to address concerns within their districts.

NEW BUSINESS

NEIL'S HARBOUR LIGHTHOUSE

The Canadian Heritage Monuments Board would like to begin a registration process for the Neil's Harbour Lighthouse and are seeking support from the Municipality.

It was moved by Councillor Budge, seconded by Councillor Buchanan, that the Municipality support the proposed heritage designation of the Neil's Harbour Lighthouse. Motion carried.

QUIT CLAIM DEED – ANDREW AND JEAN MACLELLAN

Sandy Hudson presented a quit claim deed request for Andrew and Jean MacLellan for property located at Ingonish. They have signed a Release & Indemnity Agreement to the Municipality and Solicitor MacDowell has recommended approval of this quit claim deed.

It was moved by Councillor Dauphinee, seconded by Councillor Budge, that a quit claim deed be issued to Andrew and Jean MacLellan. Motion carried.

ELECTRONIC VOTING

The Association of Municipal Administrators has approached municipalities with regard to the possibility of bulk purchasing for electronic voting for the next Municipal Election in 2016.

Council agreed to look into this option with other municipalities and Sandy Hudson will work with the AMA in this regard.

MUNICIPAL PENSION

Sandy Hudson advised that he and Leanne MacLellan met with Stephen MacEachern concerning the Municipality's pension options. The Municipality is currently with Great West Life and have received information from three other providers also. Consideration is being given to moving to a plan administered by Manulife. Stephen MacEachern will remain our service representative.

Mr. Hudson indicated that he will be discussing this possible change with CUPE Union 2694.

FINANCIAL UPDATE

Sandy Hudson presented Council with a copy of the General Fund Statement of Revenue and Expenditures for the Municipality for the eleven months ending February 28, 2014.

He requested Council review the document and any questions that arise can be dealt with at the next session, or prior to the next session by contacting him.

VOLUNTEER RECOGNITION

Dan MacNeil was selected as Victoria County's volunteer to attend the provincial ceremony in Halifax in April. Tom Wilson was to advise Mr. MacNeil of his selection and if he is attending the ceremony, arrangements will be made for the Warden or Councillor Buchanan to attend the provincial ceremony.

CAPE BRETON REGIONAL HOSPITAL FOUNDATION

Warden Morrison advised that the Annual General Meeting of the Cape Breton Regional Hospital Foundation will be held at the Cape Breton Regional Hospital Cafeteria on Thursday, March 27, 2014, at 6:00 p.m. If interested in attending, Council are to RSVP.

EASTERN DISTRICT PLANNING COMMISSION APPOINTMENTS

A letter was received from John Bain, Director, Eastern District Planning Commission, concerning Commission staff appointments to various municipal positions for 2014-2015.

It was moved by Councillor Dauphinee, seconded by Councillor Budge, that the following appointments be approved for 2014-2015:

- **Administrator – Dangerous and Unsightly Premises: John Bain**
Alternate: Sean Donovan
- **Building Inspector: David MacKenzie**
Alternates: Cyril LeBlanc, Leon LeBlanc, Harry Martell
- **Assistant Building Inspector: Sean Donovan**
- **Development Officer: Beth Schumacher**
Alternates: John Bain, Wanda Ryan, Andrew Jones

- **Fire Inspector: Cyril LeBlanc**
Alternates: Sean Donovan, David MacKenzie, Leon LeBlanc

Motion carried.

2014-2015 BUDGET

Sandy Hudson indicated that work will begin on the 2014-2015 budget and tax rates and Council are to provide some input as to what they are looking for with regard to the budget.

DISTRICT CONCERNS

District #2

Councillor Grant brought forward the matter of services provided by Victoria County to the community of Meat Cove, Inverness County.

It was moved by Councillor Grant, seconded by Councillor Budge, that a letter be forwarded to Inverness County requesting they meet with Victoria County to discuss funding for services including policing, waste management, etc. that Victoria County provided for the Inverness community of Meat Cove. Motion carried.

Councillor Grant brought up the controlled access highway designation in the area between Exit 8 and Exit 10.

It was moved by Councillor Grant, seconded by Councillor MacNeil, that a letter be sent to the Department of Transportation and Infrastructure Renewal to discuss the controlled access highway between Exit 8 and Exit 10 (Baddeck) and its detrimental effect on businesses (access to the Village of Baddeck by the snowmobile and ATV community) and the detrimental effect on land owners located north of the highway who are effectively cut off from accessing their property. Motion carried.

Councillor Grant brought up that matter of reviewing the list of organizations claiming tax exemption because of their charitable status.

This matter will be addressed at the second (final) reading of the External Organizations Tax Exemption By-Law at the Public Hearing on March 24, 2014, at 4:30 p.m.

Councillor Grant requested that a future Council meeting be held in the Middle River Community Hall, at a convenient date in April/May, 2014, and that the Community Hall organization be given the opportunity to present their funding request at that time.

Sandy Hudson advised that a review of the current Subdivision By-Law is required and a committee is to be established to work with John Bain in this regard. A decision on the Committee makeup will be made at the next Council meeting.

District #8

Councillor Buchanan forwarded information to Council on a proposed pilot project for a non-motorized moose hunt in Zone 5 (Pollett's Cove/Aspy Fault Wilderness Area).

It was moved by Councillor Buchanan, seconded by Councillor Grant, that a letter of support for a limited non-motorized guided moose hunt in the Zone 5 area be forwarded to Pam Eyking, MLA; Allan MacMaster, Inverness MLA; and the Ministers of Natural Resources and Environment. Motion carried.

District #6

Councillor Dauphinee advised that he will be away on vacation for the first two weeks of April.

The Cabot Trail Lions Club is requesting the Municipality sponsor a team in their golf tournament fundraising event.

It was moved by Councillor Dauphinee, seconded by Councillor Budge, that the Municipality enter a team in the Cabot Trail Lions Club Golf Tournament. Motion carried.

District #3

Warden Morrison turned the Chair over to Councillor Buchanan.

Warden Morrison advised that he met last Friday with Keith MacDonald, Cape Breton Partnership, concerning investment readiness. A meeting will be held within the next couple of weeks and the CAO; Councillor McNeil, Chair of the Economic Development Committee; and if back from vacation, the Warden; will participate. The exercise will identify strengths and weaknesses and following the results, the Economic Development Committee will meet on the findings.

Warden Morrison indicated that a meeting of the participating municipalities, to finalize their vision of what the REN should look like will be held on March 24, 2014. The proposal will be submitted to the province. A further update will be provided after this time.

The Atom "B" Provincial Hockey Championship will be held at the Victoria Highland Civic Centre, Baddeck, later this month. The budget for this event is \$10,000.00. Warden

Morrison advised that there are participants from five of the municipal districts and the five Council members have agreed to provide \$200.00 from their district budgets. He also requested that an additional \$1,000.00 be approved for this event.

It was moved by Warden Morrison, seconded by Councillor MacNeil, that each of the Council members in the 5 districts with participating players approve \$200.00 from their district budgets and the Municipality provide a \$1,000.00 donation, for a total amount of \$2,000.00. Motion carried.

K147 BADDECK SEA CADETS

Warden Morrison then opened the floor to the sea cadets in attendance to ask questions of Council. Questions consisted of places for youth to meet and why RCMP policing costs less than solid waste annually and Warden Morrison and Council responded to the questions.

Don Tower indicated that part of the cadet program is teaching about government and he appreciated that Sandy Hudson, Warden Morrison and Councillor Grant met with the cadets last week and spent an hour and one-half updating on municipal government.

Warden Morrison indicated that it was their pleasure and encouraged the cadets to become involved in their communities and not to hesitate to come to future Council meetings and to ask questions at any time.

ADJOURN

There being no further business, on motion of Councillor Buchanan, that meeting adjourned at 6:35 p.m.

Sandy Hudson, CAO

Bruce Morrison, Warden

