

# **VICTORIA COUNTY MUNICIPAL COUNCIL**

**March 26, 2001**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 26, 2001, beginning at 5:30 p.m. with Warden Gerald Sampson in the Chair.

Present were:

District #1 - Dan E. MacNeil  
District #2 - Shane Toms  
District #3 - Bruce Morrison, Deputy Warden  
District #4 - John Graham MacInnes  
District #5 - Gerald Sampson, Warden  
District #6 - Lawrence Barron  
District #7 - Wayne Budge  
District #8 - Robert MacLellan (Late Arrival)

Also present were:

Brian Trask, CAO  
Heather MacLean, Recording Secretary

## **CALL TO ORDER/APPROVAL OF AGENDA**

Warden Sampson called the meeting to order. The agenda and time for adjournment were presented for approval.

It was moved by Deputy Warden Morrison, seconded by Councillor MacNeil, that the agenda be accepted as presented and the time for adjournment be set at 7:00 p.m. Motion carried.

## **MINUTES**

The minutes of the March 19, 2001, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacInnes, seconded by Deputy Warden Morrison, that the minutes of the March 19, 2001, Council meeting be approved. Motion carried.

Deputy Warden Morrison questioned on badges for the newly appointed fire wards and he was advised

that the County provided badges to all departments some time ago, and these badges should be transferred from the previous fire wards to the present fire wards.

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## BUSINESS ARISING FROM MINUTES

Vince MacLean has been invited to attend the April 9, 2001, Council meeting to discuss the 150th Anniversary of Victoria County.

There will be a meeting of the Environmental/Solid Waste Committee held at the Court House on Thursday, March 29, 2001, at 5:30 p.m.

Brian Trask advised that all requests for financial assistance are being compiled and will be dealt with during budget deliberations.

Steve Wheller will be contacted with regard to the Dingwall Water System and at the same time will be requested to look at the chemical storage situation at the Neil's Harbour/New Haven Water Utility.

## REPORTS OF COMMITTEES

### Tax Collections

Brian Trask advised that as of today, the total tax receivables are \$580,773.00. The reserve for uncollectibles last year was \$638,561.00, so as of today there is a credit of \$63,011. There is another week to go until year-end and it is anticipated that tax collection will continue until that time.

### Grants and Contributions Policy

The proposed Grants and Contributions Policy was previously circulated to Council for review.

It was moved by Councillor Barron, seconded by Councillor Budge, that the Grants and Contribution Policy be referred to the Corporate Services Committee for review and to bring back a recommendation to Council. Motion carried.

## MOTIONS

At the previous meeting, Deputy Warden Morrison introduced a notice of motion concerning an amendment to the infrastructure application for the Baddeck Sewer System Upgrade. The original

application was for \$2,065,336, and it is being requested that an amendment be made to the application to increase this amount to \$2,224,900 - a difference of \$159,564. This is to allow for the inclusion of sludge de-watering technology in the application.

It is anticipated that this cost may be covered in the contingency allowance, however, the cost is being included at this time so the provincial and federal funding will come into effect if

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necessary. The cost to the Municipality, with the infrastructure cost-sharing, will be \$26,594.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that an amendment be made to the original application forwarded to Service Nova Scotia and Municipal Relations for the Baddeck Sewers, to increase the total project cost to \$2,224,900, and increase the Municipality of the County of Victoria's share to \$370,816.00, an increase of \$26,594 over the original application. Motion carried.

## OPERATIONAL REVIEW

At the previous meeting, Deputy Warden Morrison introduced a notice of motion that the Municipality explore the possibility of conducting an independent operational review of all aspects of the operation of the municipality.

Deputy Warden Morrison presented additional information received on a similar review conducted in Annapolis Royal. This review proved very positive. It is estimated that such a review would take several months to complete and cost in the vicinity of \$10,000 to \$20,000, which may be covered in part by Service Nova Scotia and Municipal Relations.

It was indicated that the Municipality is in the process of conducting an internal review of all policies, by-laws, job descriptions, etc. This review is 3/4 of the way completed and it was felt it would be beneficial to know the results of this review, prior to agreeing to an independent review.

Discussion took place as to whether the recommendations provided from an independent operational review would be accepted.

It was moved by Deputy Warden Morrison, seconded by Councillor MacNeil, that the Municipality explore the possibility of conducting an independent operational audit to assess service delivery and appraise how the Municipality operates.

Those voting in favour of the motion were Deputy Warden Morrison, Councillors MacNeil, Toms, MacInnes, Budge and MacLellan. Those voting against the motion were Warden Sampson and Councillor Barron. Motion carried.

## TENDERS -BUCKLAW PROPERTY

Three tenders were received from two properties located at Bucklaw, Victoria County. The first property is a 25, 000 sq. ft. +/- property and the minimum acceptable tender is \$5,568.81. The second property is a 25-acre resource property and the minimum acceptable tender for this property is \$10,000.

Brian Trask then proceeded to open the tenders and they were as follows:

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### 1. Alexander Gillis

Property #1 - \$6,200 (\$720 deposit included)

Property #2 - \$12,000 (\$1,600 deposit included)

### 2. William MacPhail

Property #2 - \$1,000 (\$100 deposit included)

### 3. Long's Towing Services

Total for Property #1 and #2 - \$16,000 (\$1,600 deposit included)

It was moved by Councillor Barron, seconded by Councillor Budge, that the tender for the two Bucklaw properties be awarded to the highest tender - Alexander Gillis.

Discussion took place on this matter. Councillor MacNeil indicated that he felt the tender should be awarded to William MacPhail as he is in jeopardy of losing his water source, which is located on one of the properties, in question. Mr. MacPhail has been a long-time resident of Victoria County and Councillor MacNeil felt the County should take this into consideration.

The motion was then put. Those voting in favour of the motion were Warden Sampson, Councillors Toms, MacInnes, Budge, Barron and Deputy Warden Morrison.

Those voting against the motion were Councillors MacNeil and MacLellan.

Motion carried.

It was felt that Brian Trask should talk with the successful tender, Alexander Gillis, to see if he may consider allowing Mr. MacPhail access to the water source. Mr. Trask will report back to the Corporate Services Committee.

## QUIT CLAIM DEED - ALFRED ASAPH

A request was received from Dan Chiasson, Solicitor for Alfred Asaph, requesting that a quit claim deed be issued to Mr. Asaph. Solicitor Pickup has reviewed this request and has recommended it be approved.

It was moved by Deputy Warden Morrison, seconded by Councillor Budge, that a Quit Claim Deed be issued to Alfred Asaph. Motion carried.

## RESOLUTION - OYSTER FISHERY

At the previous meeting, Councillor MacNeil's resolution concerning the contaminated/relay oyster fishery was approved in principle. Councillor MacNeil is now requesting that it be approved.  
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He reported on the meeting he attended at the Coast Guard College in this regard.

Councillor Toms indicated that he received phone calls after the last meeting indicating that Jim Crawford was not representing all oyster fishermen. Discussion took place.

It was moved by Councillor MacNeil, seconded by Councillor Budge, that the resolution regarding the contaminated/relay oyster fishery be approved and forwarded to Neil Bellefontaine and Chris Jones, Department of Fisheries and Aquaculture. Motion carried with Deputy Warden Morrison casting a dissenting vote.

## CORRESPONDENCE

1. Letter and copy of the minutes on the meeting regarding equalization was received from Mayor Peter Kelly's Office, Halifax Regional Municipality.
2. Letter from Donalda MacAskill concerning the St. Ann's Mussel Farm.

Discussion took place on this matter. Victoria County remains 100% behind the mussel farm operation. The possibility of sending a letter to the Dockendorff's requesting that they put in writing that they have the intention of building a processing plant in Victoria County was addressed. It was indicated that this fact is included in minutes of the meeting attended by the Dockendorff's.

An environmental review is being conducted and the report should be made available in the spring or early summer.

It was moved by Councillor MacInnes, seconded by Deputy Warden Morrison, that a letter be forwarded to the Minister of Fisheries and Aquaculture requesting that we receive a copy of the Environmental Review upon its completion. Motion carried.

Mrs. MacAskill's letter is to be acknowledged.

It was moved by Councillor MacInnes, seconded by Councillor MacNeil, that a letter be sent to adjacent municipalities who have offered their support for the mussel farm operation, thanking them for their support. Motion carried.

It was moved by Councillor MacNeil, seconded by Deputy Warden Morrison, that a letter be forwarded to Leo Muise, Director of Fisheries and Aquaculture, advising that Victoria County Municipal Council supports the mussel farm operation proposed for St. Ann's Harbour. Motion carried.

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## DISTRICT CONCERNS

### District #1

Councillor MacNeil indicated that he is making arrangements to host a meeting regarding the oyster fishery in the next couple of weeks in District #1. Victoria County Municipal Council has agreed to sponsor this meeting and he requested that a secretary be made available to take minutes of this meeting.

### District #3

Deputy Warden Morrison requested Council approval for a meeting he attended in Halifax last week concerning the legal responsibilities for water systems. He did not receive approval prior to attending.

This matter is to be forwarded to the Corporate Services Committee.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that a letter and certificate of recognition be forwarded to the Baddeck Academy Broncos Hockey Team congratulating them on winning the Nova Scotia Athletic Federation Division 3 Hockey Championships in Digby. Motion carried.

It was moved by Deputy Warden Morrison, seconded by Councillor Barron, that a letter be forwarded to former Baddeck Volunteer Fire Chief, Charles Cook, thanking him for his exemplary service to the

community during his tenure as Chief. Motion carried.

A meeting of the Corporate Services Committee will be held at the Court House, on Monday, April 2, 2001, at 5:30 p.m.

#### District #6

Councillor Barron questioned whether the date had been set for the follow up meeting regarding the elimination of court sittings in Ingonish. Brian Trask will contact Bill Clancy to check on this matter.

Councillors Barron, Budge and MacLellan will be meeting with Tim Reynolds, Cape Breton Highlands National Park, this week.

Councillor Barron questioned on whether a date had been set for a meeting with Bruce Langille, Risk Manager, Department of Transportation. Brian Trask advised that Ed Carey is setting up a meeting and a time and date has not been confirmed as yet.

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#### District #8

Councillor MacLellan presented information regarding the purchase of oil boom containment kits for the harbours in Victoria County. The Joint Harbour Authority North of Smokey is requesting the County to provide \$250 per harbour for the purchase of these kits. The kits cost \$716 each and there are 6 harbours located in the north of Smokey area.

It was felt that whatever is approved for the North of Smokey harbours, should also be approved for the harbours south of Smokey.

It was moved by Councillor MacLellan, seconded by Councillor Barron, that the County approve \$250 per harbour for each harbour in Victoria County towards the purchase of oil boom containment kits. Motion carried.

#### ADJOURN

There being no further business, on motion of Councillor Barron, seconded by Councillor MacLellan, the meeting adjourned at 7:00 p.m.

Gerald Sampson, Warden

Brian Trask, CAO