

VICTORIA COUNTY MUNICIPAL COUNCIL
April 8, 2002

A meeting of Victoria Council Municipal Council was held at the Court House, Baddeck, on Monday, April 8, 2002, 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

Also present were:

Brian Trask, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Sampson called the meeting to order.

APPLICATIONS – BADDECK PLANNING AREA

A public hearing was held prior to Council to deal with two applications concerning the Baddeck Planning Area.

The first application to consider is an application by Rev. Lloyd Murdock to enter into a development agreement to allow an addition of approximately 1,508 sq. ft. to an existing Bed & Breakfast establishment located at 64 Old Margaree Road (PID #85020147). The proposed one storey addition consists of three bedrooms with on suite bathrooms, bringing the total number of rooms for bed and breakfast occupancy to five. The property is zoned R-01 (Residential Urban) and has an area of 37,870 sq. ft.

It was moved by Deputy Warden Morrison, seconded by Councillor Toms, that the application by Rev. Lloyd Murdock to enter in a development agreement to allow an addition of approximately 1,508 sq. ft. to an existing Bed & Breakfast operation located at 64 Old Margaree Road be approved. Motion carried.

The second application was submitted by the County of Victoria to amend the Baddeck Plan Area Municipal Planning Strategy and Land Use By-Law to include architectural controls over new development in all Commercial Zones in the plan area.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that the application by the County of Victoria to amend the Baddeck Plan Area Municipal Planning Strategy and Land Use By-Law to include architectural controls over new development in all Commercial Zones be approved. Motion carried.

APPROVAL OF AGENDA/TIME TO ADJOURN

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

MINUTES

The minutes of the March 18, 2002, session of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Toms, seconded by Councillor MacLellan, that the March 18, 2002, Council minutes be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

FCM

Brian Trask questioned on who would be attending the Annual FCM Conference in Hamilton, Ontario. Warden Sampson has been registered to attend and two additional Councillors may attend. Any Councillor interested in attending must advise the County office within one week so arrangements can be made.

Association of Police Boards

The Nova Scotia Association of Police Boards will be holding a conference at the Howard Johnson Hotel in Truro, on April 25, 26 and 27, 2002. The appointment of a Police Commission for Victoria County will be dealt with during the review of the Committee structure and Mr. Trask questioned on whether any Councillors were interested in attending this conference.

Councillors MacInnes and Budge expressed an interest in attending and Warden Sampson indicated he would advise tomorrow if he is available to attend.

CORRESPONDENCE

1. Letter from Premier's John Hamm's office acknowledging receipt of Council's resolution concerning ferry fares.

Councillor MacInnes indicated that the increase in ferry fares has affected the whole of Victoria County and he felt the Minister of Transportation should be requested to come to Council to meet to discuss the concerns.

It was moved by Councillor MacNeil, seconded by Councillor MacInnes, that Honourable Ron Russell, Minister of Transportation and Public Works, be requested to meet with Council to discuss the ferry fee increase and how critical this increase is to impeding development in our County and also to discuss the closure of the DOT's Baddeck mechanical branch. Motion carried.

2. Warden Sampson presented a request from Vincent Steele, Tobacco Reduction Coordinator for Cape Breton, for a municipal appointment to the Tobacco Reduction Committee.

Council will make this appointment when they review the Committee Structure.

3. Letter from Kelvin Hussey, Acting Chair, Seamount Development Corporation, advising that Seamount Development Corporation are no longer interested in acquiring the Ingonish Beach Consolidated School property.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that the motion to turn over ownership of the Ingonish Beach Consolidated School property to Seamount Development Corporation be rescinded. Motion carried.

4. Letter from Stephen and Mary Rasmussen, Ingonish Beach, requesting an opportunity to apply for ownership of the Ingonish Beach School property.

It was moved by Councillor Barron, seconded by Councillor Toms, that a letter be forwarded to Stephen and Mary Rasmussen advising that the ownership of this property remains with the School Board and once this issue is resolved, we will advise. Motion carried.

Art Pickup has been working on this matter and will be requested for an update as to status of this issue.

5. Correspondence from Dennis Wallace, President, ACOA, to Warden Sampson and Chief Terry Paul, regarding the Pitupaq Committee's efforts in the remediation of on-site sewage entering the Bras d'Or Lakes.

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6. Letter from Eddie Keeling, Chairman of the Village of Baddeck, regarding the transfer of ownership of the Baddeck Sewers from the Municipality to the Village of Baddeck.

It was moved by Deputy Warden Morrison, seconded by Councillor MacLellan, that the transfer of ownership of the Baddeck Sewers to the Village of Baddeck be approved in accordance to the conditions outlined in the April 5, 2002, correspondence from Eddie Keeling, Chairman, Village of Baddeck. Motion carried.

PETER CHRISTIANO – FINWOOD FLOORING AND LUMBER LIMITED

Courtesy of Council was extended to Peter Christiano, Finewood Flooring and Lumber Limited, who made a presentation requesting the Municipality take over maintenance and snow removal on the .3 km roadway to their hardwood flooring & dimension manufacturing plant located in Middle River, Victoria County. (copy attached)

Mr. Christiano indicated that Finewood would bear all costs and responsibilities for any final upgrading required in bringing the roadway up to Department of Transportation standards.

It was moved by Councillor Toms, seconded by Deputy Warden Morrison, that this request be tabled until the April 22, 2002, Council meeting. Motion carried.

Mr. Christiano was extended a vote of thanks for his presentation and was excused at this time.

ED CAREY – BADDECK SEWERS

Courtesy of the meeting was extended to Ed Carey, Carey Geoenvironmental Engineering.

Mr. Carey indicated that three (3) engineering firms were requested to provide proposals for consulting engineering services for design and contract management of Baddeck Sewage Treatment Facility. Proposals were received from Dillon Consulting, Strait Engineering Limited and ABL Environmental Consultants Ltd.

These proposals were reviewed by Bill Bailey, P. Eng.; Aileen Whaller-Hebb, Canada/Nova Scotia Infrastructure Works Program; and Mr. Carey. It was the

unanimous recommendation that ABL Environmental Consultants be recommended to Council. Mr. Carey presented a formal letter of recommendation for review.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that based on Carey Geoenvironmental's recommendation ABL Environmental Consultants Limited be awarded the contract for consulting engineering services for the design and contract management of the Baddeck Sewage Treatment Plant facility. Motion carried.

QUIT CLAIM DEED

A request was received from LeBlanc MacDonald, Barristers and Solicitors, that the Municipality issue a quit claim deed to Paul Chorney and Mary Anne Morkel for lands at Sugarloaf.

Brian Trask indicated that this request has been investigated and the issuance of a quit claim deed is in order.

It was moved by Councillor Toms, seconded by Councillor MacLellan, that a quit claim deed be issued to Paul Chorney and Mary Ann Morkel. Motion carried.

DINGWALL WATER/INGONISH BEACH WATER

Brian Trask advised that the required agreements for the Dingwall Water and Ingonish Beach Water have been received and will be signed by the Municipality.

Councillor Barron questioned on the status of the talks with Keltic Lodge and Parks Canada concerning the Ingonish Beach Water. Brian Trask indicated that there was no new information in this regard.

WATERSHED MANAGEMENT

Councillor MacInnes suggested that the Department of the Environment be contacted with regard to the process of setting up a watershed management area for St. Ann's Harbour. It was felt that this process would apply to other areas of the County also.

It was moved by Councillor MacInnes, seconded by Councillor Budge, that Peter Weaver, Department of the Environment, and John Bain, Rural Cape Breton District Planning Commission, be requested to come to a meeting to explain the process of setting up a watershed management area.

LITTLE NARROWS GYPSUM

Councillor MacNeil indicated that Little Narrows Gypsum would like to know the costs related to becoming a consumer of the Little Narrows Water System. It is estimated that their usage would be approximately 750,000 gallons/year and they would be willing to bear the cost of coming to the existing water line.

It was moved by Councillor MacNeil, seconded by Councillor MacInnes, that the CAO investigate and provide the requested cost for water usage to Little Narrows Gypsum. Motion carried.

DEPARTMENT OF TRANSPORTATION

Concern was expressed on the closure of the Baddeck Mechanical Branch of the Department of Transportation.

It was moved by Councillor Toms, seconded by Councillor MacInnes, that the Municipality issue a press release concerning their opposition to the closure of DOT's Baddeck Mechanical Branch and along with the requested meeting with the Minister of Transportation, a further meeting be requested immediately with Bruce Fitzner, District Manager, to discuss this issue and a letter be also forwarded to the Premier and Cape Breton MLA's in this regard. Motion carried.

RECESS

Warden Sampson advised that Council would recess for 10 minutes and on conclusion of the break would be moving to an In Camera Session.

Council returned to regular session.

DEPARTMENT OF AGRICULTURE AND FISHERIES

Correspondence was received from Leo Muise, Director, Aquaculture Division, Department of Agriculture and Fisheries, inviting Victoria County Council to participate in the Community Liaison Committee for the St. Ann's Harbour mussel aquaculture site. If agreeable, they would like to see the local Councillor for the area and the Development Officer, serve on this committee.

It was moved by Councillor Toms, seconded by Councillor MacNeil, that Councillor MacInnes and Ross MacDonald, Director of Community Economic Development, be appointed to the Community Liaison Committee for the St. Ann's Harbour mussel aquaculture site. Motion carried.

SEAL ISLAND BRIDGE

It was moved by Councillor MacInnes, seconded by Councillor Budge, that a letter be forwarded to the Department of Transportation requesting that a proper lighting system be installed on the Seal Island Bridge during the course of the bridge upgrading. Motion carried.

UNSM

Warden Sampson indicated that at the upcoming Inverness-Richmond-Victoria-Port Hawkesbury Regional UNSM meeting, it would be Victoria County's turn to appoint the regional representative to serve on the UNSM Executive. Warden Sampson indicated his interest in serving as the Regional Representative.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that Warden Sampson be Victoria County's nomination to serve as the Regional UNSM Representative for Inverness-Richmond-Victoria-Port Hawkesbury. Motion carried.

ADJOURN

There being no further business, on motion of Councillor Barron, seconded by Councillor MacInnes, the meeting adjourned at 8:50 p.m.