

VICTORIA COUNTY MUNICIPAL COUNCIL
May 24, 2005

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Tuesday, May 24, 2005, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #2 – Keith MacCuspic
District #3 – Bruce Morrison
District #4 – John Graham MacInnes
District #5 – Fraser Patterson
District #6 – Lawrence Barron
District #7 – Wayne Budge, Warden

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

Absent were:

District #1 – Dan E. MacNeil, Deputy Warden
District #8 – Robert MacLellan

CALL TO ORDER

Warden Budge called the meeting to order.

APPROVAL OF AGENDA

The agenda was presented for approval. It was indicated that the approval of the minutes would be deferred to later in the meeting and the first agenda item dealt with would be the Citizens Against Strip Mining presentation.

It was moved by Councillor Barron, seconded by Councillor Morrison, that the agenda be approved. Motion carried.

CITIZENS AGAINST STRIP MINING

Warden Budge extended the courtesy of Council to Karen MacPhee, Chairperson, Citizens Against Strip Mining.

Ms. MacPhee introduced Don MacMullin, Sierra Club, who would be presenting a video production of news items regarding the strip mining issue, as well as the presentation delivered to the Cape Breton Regional Municipal Council.

The maps outlining the location of the mineral claims were presented and the ones of particular interest to Victoria County are located in the Boularderie (Black Rock) area.

Allan Nicholson explained their position as it pertained to the Boularderie area. The most serious problem a strip mine poses in this area is to the very fragile water supply. The proposed mining sites are located on the main water aquifer for Boularderie Island. This aquifer is very sensitive and has suffered past degradation from mining companies (Pioneer and Brogans), the Point Aconi Power Plant and the fact that the recharge area is covered by ash from the Point Aconi Power Plant. The material being burnt at the Point Aconi Power Plant at present is not coal, but a toxic waste produced in the oil refining business that comes from the United States. This product is not legal to use in the U. S.A.

Mr. Nicholson indicated that the group is looking to Council to take a definite stand against strip mining in Cape Breton. Mr. Nicholson was questioned on the steps taken by the organization against strip mining. They have brought their petitions against strip mining to Government and have met with Ministers Hurlburt and Morash on this issue. Local MLA Gerald Sampson has not come out against the issue as yet.

Christianne Tanner, as a landowner in the Black Rock area, expressed her concern and opposition to strip mining in the area.

Karen MacPhee indicated that Cape Breton coal has high sulphur content that when combined with air and water makes sulphuric acid. This allows heavy metals such as aluminum, mercury, lead, zinc, cadmium and arsenic to infiltrate and she outlined the various health risks associated with these heavy metals.

The Citizens Against Strip Mining Group want to see a by-law adopted that would prohibit surface mining in environmentally sensitive areas. Discussion took place on the process and the possibility of a joint resolution from the Cape Breton Regional Municipality and the Municipality of the County of Victoria on this issue.

Councillor Patterson indicated that the Municipal Development Committee, of which he is the Chairman, have discussed this matter at their regular meetings. He advised that he attempted to contact CBRM officials today to determine the action, if any, they have taken in this regard, but was unsuccessful.

It was felt that the Solicitor would have to be consulted to determine if the municipality would have the authority under the *Municipal Government Act* to pass such a by-law.

It was moved by Councillor MacInnes, seconded by Councillor Morrison, that the strip mining issue be referred to the Victoria County Municipal Development Committee to sit down with representatives from CBRM to draw up a draft by-law to be brought back to the respective Councils for consideration. Motion carried.

The Warden extended a vote of thanks to the representatives for their presentation.

RECESS

The Warden announced that Council would recess for 10 minutes.

DESTINATION CAPE BRETON ASSOCIATION

Courtesy of Council was extended to Sandra MacDonald, General Manager of Destination Cape Breton Association, to make a presentation on the Marketing Levy initiative.

Ms. MacDonald thanked Council for allowing time on the agenda and introduced her two associates – Marlene Wallace and Caroline Vassallo.

Destination Cape Breton Association is the industry organization actively pursuing the implementation of the Marketing Levy for the future development of the tourism industry on Cape Breton Island. It has a membership base of over 250 and the mandate is to promote and enhance tourism on Cape Breton Island.

A new television campaign advertising Cape Breton has been introduced and Ms. MacDonald then showed the three video advertisements to Council. These ads began running two weeks ago and by mid-week of the first week, there was an additional 5,000 hits on the Destination Cape Breton website. She also outlined other initiatives of the association such as trade shows attended, new map of Cape Breton Island, Cape Breton Travel Guide, Dreamscapes and the Halifax billboard.

Ms. MacDonald then made a power point presentation to Council on the marketing levy issue (copy attached), outlining the steps taken to date. Presentations are now being made to all Councils on Cape Breton Island seeking support for the marketing levy.

The statistics pertaining to Victoria County were questioned. There are 1234 rooms in Victoria County and it was indicated that the surveys completed indicated 98% are in favor of the levy going forward. This could be considered misleading in that only 802 rooms completed the survey and of those 789 were in favour and 13 against. This does not take into account the 432 rooms that did not take part in the survey. Ms. MacDonald indicated that all were contacted and the 98% in favour figure comes for those who participated.

Halifax Regional Municipality have at present a 1.4% marketing levy collected by the operators who in turn remit this amount collected to the HRM. The HRM then turn the money, minus a 1% administration fee, over to Destination Halifax. The enforcement of the levy was discussed and how the levy would be managed in Cape Breton. Ms. MacDonald indicated there would be negotiations to see how in will be done.

Tom Wilson indicated that tourism revenue statistics will be available in early June and these statistics will show how important the marketing levy will be for Cape Breton Island. There was a decrease of 9,000 room nights last year and it was indicated that Cape Breton is in competition with the world in attracting visitors.

Further discussion took place on the issue and it was indicated that if successful it is hoped the levy will be implemented in 2006, but prior to this it must go before the provincial legislature, hopefully this fall.

It was moved by Councillor Morrison, seconded by Councillor MacCuspig, that the Destination Cape Breton Association's marketing levy request be forwarded to the Victoria County Municipal Tourism Committee for consideration and to bring a recommendation back to Municipal Council. Motion carried.

It was indicated that a recommendation should be brought to Council for consideration at their June 20, 2005, meeting.

A vote of thanks was extended for the presentation and the ladies were excused at this time.

RECESS

Warden Budge announced that Council would recess for 5 minutes.

APPROVAL OF MINUTES

The minutes of the April 25, 2005, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that the April 25, 2005, minutes of Victoria County Municipal Council be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Atlantic Burn Care Bowl-A-Thon

Councillor Patterson indicated that in total the amount raised from Victoria County for the Bowl-A-Thon was \$1,275.00. Councillor Morrison indicated that as a group, they raised the most and received prizes, which would be forwarded to the participants.

DISTRICT CONCERNS

District #6

The list of J Class roads in Victoria County was provided to Councillors and Councillor Barron indicated that the 7 roads the County requested the Department of Transportation to consider paving are not on this list, and are therefore, the responsibility of the province.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that a letter be forwarded to Don Carter, Department of Transportation and Public Works, that as the roads submitted for paving to the province are not J Class roads, Victoria County is not responsible for cost-sharing on the paving of these roads, therefore, we request the Department of Transportation to assume responsibility to have the roads paved. Motion carried.

The fact that no ditching is going to be done in the northern area of the County was discussed.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that a letter be forwarded to the Department of Transportation requesting that the north of Smokey area receive their fair share or ditching and road maintenance during this construction season. Motion carried.

The Councillors from District 6, 7, and 8 agreed to provide \$500 each from their district budgets to go to the Friends of the Veterans.

District #5

Councillor Patterson advised of a 911 Civic Addressing mix-up in his district and he was advised to contact Byrne Butts, Rural Cape Breton District Planning Commission, with this concern.

District #2

Councillor MacCuspig brought up the matter of illegal dumping of litter at the Exit 7/Cabot Trail intersection. The scarcity of "No Litter" signs was discussed and other problems areas such as the Baddeck Bay Look-Off and the Englishtown Turnoff area were identified.

It was moved by Councillor MacCuspig, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation requesting that they increase the presence of "No Litter" signs throughout the County and in particular the Exit 7/Cabot Trail intersection, the Baddeck Bay Look-Off and the area at the intersection of the TCH 105/Highway 312 at Englishtown. Motion carried.

A copy of Councillor MacCuspig's response to the Community Liaison Committee and draft report of John Hugh Edwards for the Crowdis Mountain Septage Facility was reviewed.

Councillor MacCuspig indicated that John Hugh Edwards is the facilitator for the Community Liaison Committee and it is his responsibility to submit a final report by Wednesday, May 25, 2005. Councillor MacCuspig wishes to fax this letter for inclusion in the final report.

It was moved by Councillor MacCuspig, seconded by Councillor MacInnes, that Councillor MacCuspig's letter regarding the Crowdis Mountain Septage Facility be endorsed and submitted to John Hugh Edwards for inclusion in his final report. Motion carried.

At a future meeting, Councillor MacCuspig requested that a Nation Film Board video on the sewage sludge industry be presented to Council. It was agreed that this video be presented at the June 13, 2005, Committee of the Whole meeting.

COMMITTEE OF THE WHOLE MINUTES

The minutes of the May 16, 2005, Committee of the Whole meeting were presented for approval.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that the minutes of the May 16, 2005, Committee of the Whole meeting be approved as presented. Motion carried.

2005-2006 BUDGET

It was moved by Councillor Barron, seconded by Councillor Patterson, that the 2005-2006 municipal budget be approved as presented. Motion carried.

Councillor Morrison presented proof of commitment from the Village of Baddeck for their share of the paving costs for Hilltop Crescent as requested in the Committee of the Whole meeting of May 16, 2005.

A congratulatory note is to be sent to the Village of Baddeck for being named one of the 20 best places to live in Canada in the *50 Plus Magazine*.

An article will be placed in *The Victoria Standard* concerning the budget.

INGONISH BEACH WATER

Sandy Hudson advised that the Department of Transportation have committed \$400,000.00 to the Ingonish Beach Water Supply Project and in return the Municipality will assume the liability for outstanding water claims that the Department of Transportation have. He requested Council's permission for he and the Warden to sign the agreement with the Department of Transportation.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that the Warden and Clerk be authorized to sign the Ingonish Beach Water Agreement with the Department of Transportation. Motion carried.

Mr. Hudson advised that he would be meeting with Parks Canada tomorrow regarding the water system.

DISTRICT #7

Warden Budge outlined a serious erosion problem on the road between Smelt Brook and White Point.

It was moved by Councillor MacInnes, seconded by Councillor Morrison, that due to the serious situation with regard to the White Point/Smelt Brook road, the Department of Transportation be requested to remediate this roadway immediately. Motion carried.

NEXT MEETINGS

A Committee of the Whole meeting will be held on June 13, 2005, at 5:00 p.m. and the next Council Session will be held on June 20, 2005, at 5:00 p.m.

ADJOURN

There being no further business, on motion of Councillor Morrison, the meeting adjourned at 7:30 p.m.

A. W. (Sandy) Hudson, CAO

Wayne Budge, Warden