

VICTORIA COUNTY MUNICIPAL COUNCIL
July 5, 1999

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, July 5, 1999, beginning at 5:00 p.m. with Warden John Graham MacInnes in the Chair.

Present were:

District #1 - Gerald Yetman
District #3 - Bruce Morrison
District #4 - John Graham MacInnes, Chairman
District #5 - Gerald Sampson, Deputy Warden
District #6 - Lawrence Barron
District #7 - David Donovan
District #8 - Robert MacLellan

Also present were:

Brian Trask, CAO
Heather MacLean, Recording Secretary

Absent was:

District #2 - Shane Toms

CALL TO ORDER - APPROVAL OF AGENDA

Warden MacInnes called the meeting to order.

The agenda was presented for approval.

It was moved by Deputy Warden Sampson, seconded by Councillor Morrison, that the agenda be approved as presented. Motion carried.

DANGEROUS AND UNSIGHTLY PREMISES

Courtesy of Council was extended to Paul Burt, Building Inspector, who was in attendance regarding a dangerous and unsightly premises owned by Joseph and Leeann Kennedy located at South Haven, Victoria County.

Mr. and Mrs. Kennedy were forwarded a registered notice to appear at tonight's meeting in this regard. Mr. Burt distributed photographs and indicated

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that the abandoned dwelling, outbuilding and property is in contravention of Section XV of the Municipal Government Act. Electricity is still connected to the building and there is considerable debris located on same which also makes the property a fire hazard.

Mr. and Mrs. Kennedy have made no effort to correct the problems and Mr. Burt indicated that if Council so wishes, they make issue an order that the property is dangerous and unsightly and that both structures and all debris from the site be removed, disposed of properly in conformance with all applicable regulations and the site be graded level. If the Kennedy's fail to heed to this order, after 30 days the Municipality may enter upon the property without warrant or other legal process and carry out the work specified in the order. The expenses for this clean up may then be recovered from the owners.

It was moved by Deputy Warden Sampson, seconded by Councillor Barron, that the Municipality issue an order to Joseph and Leeann Kennedy indicating that their property situate at South Haven, Victoria County, is dangerous and unsightly within the meaning of the Municipal Government Act, Chapter 18 of the Statutes of Nova Scotia, 1998, Section XV, and ordering that they remedy this situation within 30 days. Motion carried.

If after the 30 days the Kennedy's have not complied with this Order, the Municipality will call for tenders to have the necessary work carried out.

COMMUNITY SERVICES - REGISTRY OF DEEDS OFFICE SPACE

While Mr. Burt was in attendance, it was suggested that the agenda item concerning the Community Services and Registry of Deeds office space be discussed.

Brian Trask presented a letter forwarded to the Honourable Ken MacAskill, from the Honourable Francine Cosman, Minister of Community Services, regarding office requirements for the Department of Community Services, Baddeck.

The Registry of Deeds is in need of extra office space and have determined that the present Building Inspector's office would be adequate for their needs.

The possibility of erecting a new building in the rear of the Court House has been discussed. A long term lease would have to be obtained from the Department of Community Services prior to commencing construction.

It was suggested that Paul Burt draft a plan to be forwarded to the Department of Community Services, and they could design their required layout within the building.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that Paul Burt provide a preliminary building plan to the Department of Community Services for their consideration. Motion carried.

Construction will not proceed without a long term lease commitment being received from the province.

Mr. Burt was excused at this time.

TAX SALE/COLLECTION UPDATE

Courtesy of Council was extended to Donnie Morrison, Tax Collector.

Mr. Morrison updated Council on the tax sale held on May 6, 1999. Preliminary work for the tax sale began with 76 properties. 13 of these properties went to tax sale and all were sold at the sale. Approximately \$60,000 was taken in, \$40,000 of which is tax sale surplus money. Application is being made for the release of this tax sale surplus and a decision in this regard will be made through the Courts.

Mr. Morrison indicated that he has been working on the Patterson Subdivision. He will be meeting with Paul Harvey and Arthur Pickup tomorrow regarding getting these properties ready for a tax sale. There are approximately 80 properties associated with the Patterson Subdivision. Paul Harvey has provided a rough estimate of a minimum of \$10,000 to survey this property. It was felt that tenders should be called for surveying the property in question.

It was moved by Councillor Yetman, seconded by Councillor Morrison, that tenders be called for the surveying of the Patterson Subdivision lands. Motion carried.

The status of the scheduled September, 1999, tax sale was discussed. Mr. Morrison advised that he was working on the Patterson Subdivision for the sale. It was felt that a regular tax sale should also be held in the fall.

It was moved by Deputy Warden Sampson, seconded by Councillor Morrison, that a general arrears tax sale be held in September, 1999, and the Patterson Subdivision tax sale be held in October, 1999. Motion carried.

Donnie Morrison presented a letter received today from Sandy Campbell, President, Bell Bay Golf Developments Inc. Bell Bay is requesting forgiveness of outstanding interest on their 1998 taxes and are also requesting the County to write a letter to the Department of Housing and Municipal Affairs requesting a fair and equitable assessment of the Bell Bay property.

It was moved by Councillor Morrison, seconded by Deputy Warden Sampson, that the County write a letter to the Department of Housing and Municipal Affairs requesting they undertake a fair and equitable assessment of the Bell Bay Golf Developments Inc. property. Motion carried.

Prior to dealing with the matter of forgiveness of the interest on the outstanding taxes, a legal opinion is to be obtained from Solicitor Pickup.

Council indicated that they wished to maintain an aggressive tax collection policy to ensure that the collections are ongoing.

Mr. Morrison brought up the matter of the Rod C. MacNeil/Melvin Sparkes property issue. Solicitor Pickup previously supplied the County with his ruling in this matter and Mr. Morrison is to contact Solicitor Pickup before proceeding any further in this regard.

Mr. Morrison was questioned on the amount of arrears at the end of June, 1999, as compared to the end of June, 1998. Mr. Morrison indicated he would obtain this information.

RECESS

The Warden announced that Council would recess for 10 minutes.

TAX COLLECTION

Mr. Morrison presented the comparative statistics for June, 1998, and June, 1999. In June, 1998, there was \$659,855 outstanding, while in June, 1999, there was \$574,283 outstanding. This is a decrease of \$85,571.

As there were no further questions for Mr. Morrison, he was advised to continue with the aggressive tax collection methods and he was excused at this time.

ASSESSMENT AND EVALUATION OF COUNCILLOR REMUNERATION

Courtesy of Council was extended to Richard Ramsay, Richard G. Ramsay Management Consultants Inc., who presented his report on "An Assessment and Evaluation of Councillor Remuneration - The Municipality of the County of Victoria (copy attached).

Mr. Ramsay reviewed in detail with Council the contents of his report.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that Mr. Ramsay be extended a vote of thanks for his comprehensive report and his recommendations be given consideration by Council. Motion carried.

RECESS

The Warden announced that Council would recess for 10 minutes.

ASSESSMENT AND EVALUATION OF COUNCILLOR REMUNERATION

Discussion took place on the contents of Mr. Ramsay's report.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that Richard G. Ramsay Management Consultant Inc. report on the Assessment and Evaluation of Councillor Remuneration be adopted and a special meeting be scheduled to deal with Committee structure. Motion carried.

The special meeting to deal with Committees will be held on Monday, July 26, 1999, at 4:00 p.m.

MINUTES

The minutes of the June 21, 1999, Council were presented for approval.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that the June 21, 1999, Council minutes be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

White Point Lots

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Mackey Appraisals were retained to conduct an appraisal of the White Point Lots. A report should be received in the near future.

Strait-Highlands Regional Development Agency

Catherine Ann Fuller was requested to provide Council with a list of projects the RDA are involved in for Victoria County.

Northeast Highlands Shuttle Service

A letter was forwarded to Melvin Burton and a reply has not been received to date.

CORRESPONDENCE

1. Letter from the Honourable Ralph Goodale, Minister of Natural Resources, regarding the \$69-million program and the future of the Cape Breton economy. His department will be working closely with the Province of Nova Scotia, the communities in Cape Breton, and other stakeholders to determine opportunities for investing these funds in the most effective ways possible.
2. Request from NSPI to meet with the Warden and CAO to discuss a strategy for a street light inventory for Victoria County.

This meeting will be arranged.

3. Request from the Victoria County Memorial Hospital Charitable Foundation for the County to operate a game of chance table at their upcoming Casino Night at a cost of \$200.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that the \$200 be approved for the Victoria County Memorial Hospital Charitable Foundation. Motion carried.

NEIL'S HARBOUR/NEW HAVEN CENTRAL WATER SUPPLY

There are deficiencies remaining and same will be handled under the warranty aspect of the contract. Brian Trask will be contact with Wayne Vervaet, Washburn & Gillis Associates Ltd., concerning this matter.

DISTRICT CONCERNS/OPEN PERIOD

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District #1

Councillor Yetman advised Council that he did not receive the NDP nomination for Victoria and

indicated that he is happy to remain in Council.

Warden MacInnes on behalf of Council stated that it was good news for Council that Councillor Yetman would remain in Council.

District #3

It was moved by Councillor Morrison, seconded by Councillor Yetman, that \$400 be approved for the Cape Breton School of the Arts from the District #3 budget. Motion carried.

District #5

It was moved by Deputy Warden Sampson, seconded by Councillor Barron, that \$200 be approved for the Cape Breton Bible Camp and \$200 for the Cape Breton Western Riders from the District #5 budget. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that a letter be forwarded to the Department of Transportation and Public Works requesting they undertake an evaluation on the need for repairs to the structure of Fife's Bridge at the County line in Big Bras d'Or. Motion carried.

Deputy Warden Sampson was approached regarding funding for the ballfield at Boularderie. This request has been included in budget talks and an answer will not be available until the budget is completed.

It was moved by Deputy Warden Sampson, seconded by Councillor Donovan, that the October Session of Victoria County Municipal Council be held at the Ross Ferry Community Hall, Ross Ferry. Motion carried.

District #7

It was moved by Councillor Donovan, seconded by Deputy Warden Sampson, that a letter be forwarded to Emergency Health Services requesting funding for a Helipad at Neil's Harbour due to the remoteness of northern Victoria County. Motion carried.

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Councillor Donovan expressed concern over the shortage of nurses at Buchanan Memorial Hospital. An advertisement was recently printed in the Cape Breton Post looking for people to the nursing positions.

Councillor Donovan questioned on how to go about receiving the funding for the air compressor purchased by Neil's Harbour/New Haven Volunteer Fire Department. Once a copy of the receipt of payment is received from the fire department, the approved funding will be released.

Councillor Donovan also questioned on the status of the funding requests for his area included in budget considerations.

District #4

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that \$350 be approved for the North Shore Home & School for the purchase of playground equipment from the District #4 budget. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor MacLellan, that \$500 be approved for the Englishtown Hall from the District #4 budget. Motion carried.

BUDGET

Brian Trask advised that net taxable assessment has increased approximately \$10,000,000 over last year. As a working paper, he has taken all the information and original grant requests received to date, estimated the school board funding and in order to cover same indicated that a 7 cent increase in taxes would be necessary.

The auditors will be in tomorrow to finish the year end financial statements and more will be known on what is required after their completion.

Discussion took place on tax collection and Council felt they should receive a monthly report indicating collections, delinquency, etc. They felt the CAO should assist Council in obtaining the necessary meaningful information on a regular basis.

It was moved by Deputy Warden Sampson, seconded by Councillor Morrison, that the CAO make a list of meaningful questions to be answered in a monthly report to Council from the Tax Collector. Motion carried.

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ADJOURN

There being no further business, on motion of Councillor Yetman, seconded by Deputy Warden Sampson, the meeting adjourned.

John G. MacInnes, Warden

Brian E. Trask, CAO