

VICTORIA COUNTY MUNICIPAL COUNCIL
September 10, 2007

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, September 10, 2007, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

Councillor Elect for District #1 – Paul MacNeil
District #2 – Keith MacCuspig
District #3 – Bruce Morrison
District #4 – John Graham MacInnes, Deputy Warden
District #5 – Fraser Patterson
District #6 – Lawrence Barron
District #7 – Wayne Budge, Warden
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Budge called the meeting to order.

APPROVAL OF AGENDA

The agenda was presented for approval.

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

RESULTS – DISTRICT #1 BY-ELECTION

Sandy Hudson, Returning Officer, advised of the results of the August 18, 2007, District #1 By-Election.

There were a total of 378 votes cast, as follows:

Ann Marie MacNeil	123
Paul MacNeil	167
Pat Rose	87
Spoiled Ballots	1

Mr. Hudson declared Paul MacNeil elected as Councillor for District #1 and administered the Oath of Allegiance and Of Office to Paul MacNeil.

OATH OF ALLEGIANCE AND OF OFFICE

I, Paul MacNeil, do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law.

And that I am duly qualified as required by law for the office of Councillor of the Municipality of the County of Victoria.

And that I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.

And that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office.

Signed:

District #1 – Paul MacNeil

Councillor MacNeil then assumed his Chair at the Council table.

It was moved by Councillor Barron, seconded by Councillor MacCuspic, that the District #1 By-Election ballots be destroyed. Motion carried.

APPROVAL OF MINUTES – JULY 23, 2007

The minutes of the July 23, 2007, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacCuspic, seconded by Councillor Barron, that the July 23, 2007, minutes of Victoria County Municipal Council be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Victoria County Website

Sandy Hudson advised that he and Councillor Patterson, met with Tom Wilson regarding the Victoria County websites, but to date, have not met with Sue Difiore.

Unightly Premises

Sandy Hudson advised that a meeting will be held at the Eastern District Planning Commission next week on the topic of dangerous and unsightly premises. This meeting is to determine how dangerous and unsightly premises matters are being dealt with by member units within the Planning Commission.

Derelict Vehicles

Discussion took place on the topic of derelict vehicles. Purchase orders for vehicle removal are issued by Robert Dauphinee, Director of Public Works. Council members have not been signing the derelict vehicle forms and felt that they should still require the Councillors signature.

Kempt Head Road Issue

Councillor Patterson indicated that a meeting was held with Department of Transportation, EHS, and RCMP regarding the Kempt Head Road issue. The Department of Transportation have indicated that they will not approve a road name change unless it is at an intersection.

It was indicated that Steve MacDonald is the Acting Area Manager for the Department of Transportation until the end of October.

Dog By-Law Review

The Committee met once to date to review the Dog By-Law. They are looking at combining the Dog By-Law and the Animal By-Law into one by-law. Sandy Hudson presented Council with a copy of the clauses reviewed to date. Another meeting will be scheduled and once a draft by-law is completed, it will be forwarded on to the solicitor for review.

Service Nova Scotia

Mark Peck, Municipal Advisor, Service Nova Scotia and Municipal Relations, indicated when he attended Council, that he would be available to make a presentation to Council on the Debt Affordability Model and the *Municipal Government Act*.

It was moved by Councillor Patterson, seconded by Councillor MacCuspie, that Mark Peck be invited to the October, 2007, meeting to provide Council with a presentation on the Debt Affordability Model. Motion carried.

Utility and Review Board – Boundary Hearings

The Nova Scotia Utility and Review Board conducted their hearing on the Municipality's application regarding municipal boundaries and representation on August 29, 2007. Favourable comments were received on the process followed by Victoria County and the County was used as an example at other municipal unit's hearings. It was verbally indicated that the application would be approved as submitted and a formal notice to this effect would be forwarded.

LITTLE NARROWS WATER EXTENSIONS

The tenders for the Little Narrows Water System Extensions closed on Tuesday, August 21, 2007, with six (6) bids being received. They were as follows:

D. W. Matheson & Sons Ltd.	\$2,361,817.50
John Morrison Contracting	\$2,632,483.00
First Nations Construction Inc.	\$2,882,509.27
Coastal Construction & Excavating Ltd.	\$3,460,042.00
A. C. L. Construction Ltd.	\$3,572,313.00
Alva Construction Ltd.	\$4,933,344.40

D. W. Matheson & Sons Ltd., the low tender, have indicated their completion date for the project to be December 31, 2008. Discussion took place.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that D. W. Matheson & Sons Ltd. tender for the Little Narrows Water System Extensions in the amount of \$2,361,817.50, the low tender, be accepted subject to infrastructure funding approval. Motion carried.

RECESS

Warden Budge announced that Council would recess for 5 minutes.

CAPE BRETON ISLAND MARKETING STRATEGY

Sandy Hudson advised that Destination Cape Breton Association (DCBA), in consultation with Enterprise Cape Breton Corporation (ECBC), has taken steps to hire a project manager, Darlene Sponagle, whose principal responsibilities will include managing the development and implementation of the Cape Breton Island Marketing Strategy and working with municipal units and industry to provide strategic direction and coordinate efforts to address concerns regarding the marketing levy.

Ms. Sponagle has contacted all municipal units on Cape Breton Island requesting feedback and support for the development of a five year generic Cape Breton Island

Destination Marketing Strategy. Terms of Reference have been drafted and will be forwarded to consultants in the near future.

Each municipal unit on Cape Breton Island is being requested to contribute towards the development of the Strategy in the amount of \$6,000.00. A representative on the Evaluation Committee to review the Proposals for the Strategy is also being requested.

It was moved by Councillor Barron, seconded by Deputy Warden MacInnes, that Victoria County support the development of a Cape Breton Island Destination Marketing Strategy and provide a \$6,000.00 financial contribution toward the development of the Strategy. Motion carried.

It was moved by Councillor Morrison, seconded by Councillor Patterson, that Councillor Keith MacCuspic, Chairman of the Tourism Committee, be appointed as Victoria County's representative on the Evaluation Committee. Motion carried.

An update on the Strategy will be included on the agenda of Council on a regular basis.

NOVA SCOTIA NATURE TRUST

A request was received from the Nova Scotia Nature Trust that the Municipality grant exemption from property taxes for their property at Yellow Head, South Harbour. The Nova Scotia Nature Trust is a non-profit, non-government charitable organization incorporated under the Nova Scotia Societies Act. They have a federal charitable number which makes them eligible to be included for relief of taxes in the Tax Exemption By-Law.

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that the Nova Scotia Nature Trust be added to the list of exempt properties included in the Tax Exemption By-Law. Motion carried.

DISTRICT CONCERNS

District #8

Councillor MacLellan presented a letter from Barbara Costelo, Morrison's Restaurant, requesting that a plebiscite be conducted in District #8, Victoria County.

It was moved by Councillor MacLellan, seconded by Councillor Morrison, that a letter be forwarded to the Nova Scotia Alcohol and Gaming Authority

requesting that a plebiscite be conducted, at their convenience, in District #8, Victoria County. Motion carried.

It was moved by Councillor MacLellan, seconded by Councillor Barron, that \$1,000.00 be approved for the North Victoria Community Centre from the District #8 budget. Motion carried.

District #6

Councillor Barron indicated that in April, 2007, he gave notice of motion that he would be seeking a funding commitment in the amount of \$50,000.00 from the Municipality for the Ingonish Outdoor Rink Roof Project. He indicated he would like a letter from the Municipality approving this commitment, contingent on federal and provincial funding be received.

It was moved by Councillor Barron, seconded by Deputy Warden MacInnes, that the County provide a letter approving \$50,000.00 towards the Ingonish Outdoor Rink Roof Project, conditional on funding being received from the federal and provincial governments. Motion carried.

It was moved by Councillor Barron, seconded by Councillor Morrison, that \$500 be approved from the District #6 budget for the North Victoria Community Centre. Motion carried.

Councillor Barron indicated that he would like to see a representative from the Eastern District Planning Commission come to Council concerning regulations with regard to building permits, on-site sewage, etc. David MacKenzie, Building Inspector, is to be requested to attend a future Council meeting.

It was moved by Councillor Barron, seconded by Councillor Patterson, that David MacKenzie, Building Inspector, be requested to appear before Council to address Council's concerns with regard to regulations and permits. Motion carried.

District #5

Councillor Patterson indicated that Barry Campbell, EMC, has booked two seats in an upcoming EMO Preparedness Course in Ottawa from February 25-29, 2008. Councillor Patterson and Deputy Warden MacInnes expressed an interest in attending this course. There will be no cost to the Municipality.

It was moved by Councillor MacCuspig, seconded by Councillor MacNeil, that Councillor Patterson and Deputy Warden MacInnes be authorized to attend the EMO Course in Ottawa at no cost to the Municipality. Motion carried.

District #1

Councillor MacNeil expressed concern on the condition of the sides of the road in District #1.

It was moved by Councillor MacNeil, seconded by Deputy Warden MacInnes, that a letter be forwarded to the Department of Transportation requesting that the condition of the sides of the road in District #1 be addressed and the brush cutter come to the area as soon as possible. Motion carried.

District #2

It was moved by Councillor MacCuspic, seconded by Councillor MacLellan, that funding equal to the cost of taxes for the Middle River Community Hall be approved from the District #2 budget. Motion carried.

Councillor MacCuspic questioned whether there would be a savings in installing energy saving street lights for new installations or replacement of existing lights.

District #3

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, the Municipality enter a team in the Victoria Highland Civic Centre Golf Tournament on September 22, 2007, at a cost of \$600 per team, plus signage cost of \$100.00. Motion carried.

Councillor Morrison indicated that the recent rain storm left a great deal of damage in the Baddeck Bay area and the Department of Transportation have carried out work on the sides of the road that were washed out. Many of the culverts remain plugged and he requested that the maintenance of culverts in the Baddeck Bay area be included in the letter to be forwarded to the Department of Transportation.

District #4

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that September 16, 2007, be proclaimed "Terry Fox Run Day" in Victoria County. Motion carried.

It was moved by Deputy Warden MacInnes, seconded by Councillor MacCuspic, that a letter be forwarded to the Department of Transportation requesting that guardrail be installed in River Bennett, along the Barrachois River. Motion carried.

District #7

It was moved by Warden Budge, seconded by Councillor Patterson, that the cost of two street lights be approved from the District #7 budget. Motion carried.

It was moved by Warden Budge, seconded by Councillor MacLellan, that \$1,000.00 be approved from the District #7 budget for the St. John's Anglican Church Hall washroom renovations. Motion carried.

CORRESPONDENCE

1. A letter was received from Sam MacPhee, Executive Director, Gaelic College, concerning their new sewage treatment plant. The Municipality is being requested to forgive their present tax liability and to eliminate future taxes for the next five years.

Discussion took place on this project and the presentation made to Council. The acceptance of the sludge for the treatment plant at the Baddeck Municipal Solid Waste Transfer Station facility was discussed.

It was moved by Deputy Warden MacInnes, seconded by Councillor Barron, that sludge for the new Gaelic College Sewage Treatment Plant be accepted if deemed acceptable and representatives from the Gaelic College be requested to come to Council regarding their project. Motion carried.

The matter of tax relief was discussed and it was indicated that the Municipality has no authority to do so.

It was moved by Councillor Morrison, seconded by Councillor MacCuspic, that a letter be forwarded to Sam MacPhee, Gaelic College, advising that the Municipality are unable to grant the request for tax exemption as this request is outside the County's authority. Motion carried.

2. Copy of a letter from Sandy Hudson, CAO, to Paul Lamey, ECBC, outlining a potential listing of infrastructure projects for the Municipality as requested by ECBC.
3. Letter from Village of Baddeck regarding their water infrastructure project, with estimated cost to be \$3 million dollars.
4. Correspondence from Murdoch Morrison regarding the Old Ross Ferry Right-of-Way.

The property was declared surplus and offered to the municipality, who expressed an interest in obtaining the property for public access, however, a reply has not been received to our expression of interest.

A letter is to be forwarded to Murdoch Morrison acknowledging receipt of his correspondence and advise that when ownership of the land is determined, he will be informed.

5. Letter from John Bain, Director, Eastern District Planning Commission, regarding appointments to be made by Council.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that the following new appointments be approved:

- **Lindsay Lyghtle, Alternate Development Officer**
- **Zach VanRossum, Alternate Building Inspector**

and the following appointments are confirmed:

- **David MacKenzie, Building Inspector, Alternate Fire Inspector and Administrator – Dangerous and Unsightly Premises**
- **Alfred Fougere, Cyril LeBlanc and Leon LeBlanc, Alternate Building Inspectors**
- **Leon LeBlanc, Fire Inspector**
- **Cyril LeBlanc, Alternate Fire Inspector**
- **Wanda Ryan, Development Officer**
- **John Bain, Alternate Development Officer**

Motion carried.

6. Correspondence from the Mayors for Peace Campaign requesting the Municipality join. This organization is an international network of mayors organized for the purpose of abolishing nuclear weapons.

It was moved by Councillor Morrison, seconded by Councillor MacLellan, that Victoria County join the Mayors for Peace Campaign. Motion carried.

7. Notice of the Nova Scotia Association of Police Boards 5th Annual Conference to be held at the Glengarry Hotel, Truro, from September 26-28, 2007.

It was moved by Deputy Warden MacInnes, seconded by Councillor Barron, that Warden Budge and one other Council Member be authorized to attend the Association of Police Boards Conference. Motion carried.

8. Letter from the Honourable Ronald Chisholm, Minister of Fisheries and Aquaculture, advising that his department has funded a study to assess the

9. short and long term solutions to the South Harbour Channel in-filling and is cost sharing on the Department of Natural Resources effort to remove the sand plug and restore natural tidal flushing of the harbour.
10. Letter from the Honourable David Morse, Minister of Natural Resources, advising that the best agency to lead the discussion to develop a solution for South Harbour Channel is the Department of Fisheries and Aquaculture.
11. Letter from Leanne Hachey, Canadian Federation of Independent Business, regarding a partnership with Industry Canada and Service Nova Scotia and Municipal Relations in a program called BizPal.
12. Copies of letters from RCB Financial Group advising that the RBC Foundation has approved \$500 for the Silver Dart Centennial Association and the Victoria Highland Civic Centre.

COMMITTEES

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, the Councillor MacNeil be appointed to serve on the following Committees:

- **Victoria County Municipal Broadband Committee**
- **Victoria County Municipal Tourism Committee**
- **Alderwood Management Board**
- **Pitupaq Committee**

Motion carried.

All Council Members serve on the Audit, Public Works and Emergency Measures Committee.

NEXT MEETINGS

A Committee of the Whole meeting will be held on Monday, September 24, 2007, at 5:00 p.m. at which time Craig MacLaughlin, EMO Nova Scotia, will be in attendance. A Public Works Committee meeting will be held after the Committee of the Whole meeting.

Sandy Hudson indicated that he would like to have an Audit Committee meeting in early October.

Staff Sgt. Archie Thompson is to be invited to the October Session of Municipal Council to be held on October 15, 2007.

A meeting of the Community Development Committee will be held at the Court House, Baddeck, on Tuesday, September 18, 2007, at 5:00 p.m.

The Annual Union of Nova Scotia Municipalities Conference will be held at the Westin Nova Scotian from November 6-8, 2007.

ADJOURN

There being no further business, on motion of Councillor Morrison, seconded by Deputy Warden MacInnes, the meeting adjourned at 6:40 pm.

Wayne Budge, Warden

Sandy Hudson, CAO