

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
*August 17, 2009*

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, August 17, 2009, beginning at 5:00 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #1 – Paul MacNeil  
District #2 – Keith MacCuspig  
District #3 – Bruce Morrison, Warden  
District #4 – Merrill MacInnis  
District #5 – Fraser Patterson, Deputy Warden  
District #6 – Larry Dauphinee  
District #7 – David Donovan  
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

**CALL TO ORDER**

Warden Morrison called the meeting to order.

**APPROVAL OF AGENDA**

The agenda was presented for approval.

It was indicated that the date on the agenda should be corrected to indicate August 17, 2009, and Councillor MacInnis indicated that the agenda item of positive news from within the districts be included on future agendas.

**It was moved by Councillor MacInnis, seconded by Councillor Donovan, that the agenda be approved with the noted changes. Motion carried.**

**H1N1 UPDATE**

Courtesy of Council was extended to John Malcom, CEO, Cape Breton District Health Authority, who was in attendance to update Council on the H1N1 flu.

Mr. Malcom distributed an information pamphlet and update on the H1N1 flu (copy attached).

Mr. Malcom indicated that the H1N1 is one of the greatest health concerns to be seen in a long time. It has reached Pandemic Level 6 internationally which indicates widespread human to human infection. There have been over 162,000 cases confirmed and 1,154 deaths internationally as of August 4, 2009. The America's have been the hardest hit with 98,242 cases and 1,008 deaths.

There have been 10,500 cases confirmed in Canada, of which 1,141 have been hospitalized, 184 admitted to ICU and 62 deaths. As of July 29, 2009, there have been 491 confirmed cases in Nova Scotia, 12 requiring hospitalization and 1 death.

Ms. Malcom indicated that within the jurisdiction of the Cape Breton District Health Authority, there have been 34 confirmed cases, with 1 requiring hospitalization.

Mr. Malcom updated Council on the response initiatives nationally, provincially and within the district and identified the key issues and messages with regard to the H1N1 flu. It is essential to have a communications plan that is consistent, clear and factual and businesses must prepare for the worst case scenario when developing their business continuity plans should they be impacted. They must insist that staff be off 7 days if they have flu like symptoms and review critical supplies to insure service can continue if there is a disruption in normal deliveries.

Proper and frequent hand hygiene is crucial to prevent the spread of infection. Coughing and sneezing into your sleeve and isolation if sick will also assist in preventing the spread of infection. The ability to self-treat is also essential and there are guidelines for isolation which will protect family and friends. Immunization is important and it is recommended that the public get the regular seasonal flu vaccination. It is anticipated that immunization for the H1N1 virus will begin in November, 2009.

Councillor Dauphinee indicated that many of Victoria County residents are seasonal employees who cannot afford to be taken out of the workforce for a 7 day period should they have flu-like symptoms. He questioned whether there was a national plan that could assist these workers for loss of wages incurred. Mr. Malcom had no knowledge of such a plan and indicated that these workers have a responsibility to their community and the public to prevent the spread of the virus and it is the right thing to do.

Whether the vaccine could be ready before November was questioned and Mr. Malcom indicated that testing will be done in October, and it is anticipated that immunization will begin in November.

Communication was questioned and it was indicated that the Cape Breton District Health Authority will be the body to release consistent, clear and factual information for this jurisdiction. Mr. Malcom indicated that he has been in contact with his counterpart

at the Guysborough Antigonish Strait Health Authority (GASHA) to ensure they both provide consistent messaging.

The vaccine will be rolled out throughout Canada at the same time and will be free of charge to the targeted groups.

Further discussion took place. Mr. Malcom questioned on whether the information he provided was appropriate and he was advised that the information provided was factual and to the point and would be beneficial to any group.

Mr. Malcom was extended a vote of thanks for his presentation and he left at this time.

**RECESS**

Warden Morrison announced that Council would recess for 10 minutes.

**APPROVAL OF MINUTES – JULY 13, 2009**

The minutes of the July 13, 2009, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that the Victoria County Municipal Council minutes of July 13, 2009, be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Curbside Solid Waste Collection**

At the July 13, 2009, the recommendation of the Public Works Committee to proceed with a municipally operated curbside collection was passed. Councillor Donovan indicated that since this meeting, he has received complaints from his constituents and would like to see this matter revisited. Councillor MacLellan indicated that he has also received complaints mainly that the Municipality is using taxpayers' money to compete against private business.

A petition has been circulated in the northern area and approximately 600 people have signed the petition. The contents of the petition were presented.

Councillor MacNeil indicated that he has received a couple of calls concerning this matter also.

Solid waste collection has always been and always will be a contentious issue and Warden Morrison indicated that he felt changing Council's position on this matter would reflect on Council's credibility.

Discussion took place on how to proceed.

**It was moved by Councillor Donovan, seconded by Councillor MacNeil, that Victoria County Municipal Council reconsider the decision to proceed with a municipally operated curbside solid waste collection passed at the July 13, 2009, Council meeting.**

**Those voting in favour of the motion were Deputy Warden Patterson, Councillors Donovan, Dauphinee, MacLellan, MacNeil and MacCuspic.**

**Those voting against the motion were Warden Morrison and Councillor MacInnis.**

**Motion carried.**

Sandy Hudson questioned on the additional information required by Council on this matter.

A Public Works Committee meeting will be held on August 24, 2009, at 5:00 p.m. to reconsider the decision. A meeting of Victoria County Municipal Council will be convened following the Public Works Committee meeting to make a final decision on this matter. It was felt that the Municipal Solicitor should be requested to attend this meeting.

#### **TMR Base Station and Portable**

Councillor Dauphinee questioned on the purchase of the TMR Base Station and portable for the Emergency Operations Centre. Council passed a motion that this equipment be purchased.

An estimate of costs for the equipment was received in the amount of \$4785.00 plus tax and the equipment will be purchased.

#### **EMC**

Barry Campbell resigned his position as Emergency Measures Coordinator for the Municipality effective August 14, 2009.

Lyle Donovan was appointed by Council sometime ago to be the Alternate EMC for the Municipality. Discussion took place on the EMC position.

**It was moved by Councillor Donovan, seconded by Councillor MacLellan, that Lyle Donovan be appointed Interim EMC until such time as the permanent position is advertised and filled. Motion carried.**

The qualifications required to be an EMC were questioned and the responsibilities were outlined. The position will be advertised as soon as possible.

Councillor Dauphinee expressed concern that Council was not notified of Mr. Campbell's resignation. Sandy Hudson indicated his regrets in not notifying Council as they should have been.

#### **Community Development Committee**

A meeting of the Victoria County Municipal Community Development Committee will be held on Monday, August 31, 2009, at 5:00 p.m. Eileen Lannon-Oldford, CBCEDA, will be in attendance and Committee members are asked to review the strategic plan prior to the meeting.

#### **Former Rankin Memorial School, Iona**

Sandy Hudson advised that was nothing new with regard to the former Rankin Memorial School property at Iona.

#### **DISTRICT CONCERNS**

##### **District #1**

**It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, expressing appreciation for the pavement patching and mowing done in District #1 and requesting that gravel be placed on the shoulder of the road at the water spout at Bucklaw. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor Dauphinee, that a letter and certificate be forwarded in recognition of the 100<sup>th</sup> anniversary of Sacred Heart Mission in Washabuck. Motion carried.**

##### **District #2**

**It was moved by Councillor MacCuspig, seconded by Councillor Donovan, that \$1,500.00 be approved from the District #2 budget for St. Andrew's Church, Baddeck Forks, to assist with repairs. Motion carried.**

**It was moved by Councillor MacCuspig, seconded by Councillor MacInnis, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that the passing lane at the two churches and intersections of the West Side Middle River and MacIntyre Roads be changed to a solid line, no passing lane. Motion carried.**

Councillor MacCuspig brought up the matter of the inadequate marking of handicapped parking spaces in the Baddeck area.

**It was moved by Councillor MacCuspig, seconded by Councillor MacLellan, that the matter of handicapped parking spaces within the Village be referred to BABTA for consideration and discussion with the property owners and businesses in the Village. Motion carried.**

#### **District #4**

Councillor MacInnis questioned whether a reply was received from NSPI concerning the brush cutting along the North Shore. Sandy Hudson advised that a reply was not received and Ken Paruch, NSPI, is presently on vacation.

Councillor MacInnis questioned on the Gaelic College and the membership on the Board of Directors. He has heard the Executive Director is retiring and a replacement has been named. He felt an update on the makeup of the Board of Directors and the operations of the Gaelic College would be in order.

**It was moved by Councillor MacInnis, seconded by Councillor Donovan, that the current or new Executive Director of the Gaelic College be invited to appear before Council. Motion carried.**

Councillor MacInnis expressed concern on the trailer population in the Cape Breton Highlands. Between the months of May to December, the population of the Highlands increases as a result of the influx of campers and he indicated concern with regard to sewer, garbage, fire, etc.

**It was moved by Councillor MacInnis, seconded by Councillor MacCuspig, that a letter be forwarded to the Department of Natural Resources with regard to the trailer/camper situation in the Cape Breton Highlands outlining concern with regard to sanitary conditions, fire, etc. and requesting an inventory on the numbers and condition of the occupied properties. Motion carried.**

Councillor MacInnis requested that the September session of Victoria County Municipal Council be held at the North Shore & District Fire Hall at Indian Brook.

**District #8**

**It was moved by Councillor MacLellan, seconded by Councillor Donovan, that notice of motion be provided that a resolution regarding protected areas within Victoria County be presented for adoption at the next meeting of Council. Motion carried.**

Councillor MacLellan will provide a copy of the resolution for distribution to Council prior to the next meeting and it will be included on the agenda.

**District #7**

Councillor Donovan questioned whether a reply had been received from the Cape Breton-Victoria Regional School Board with regard to the teacher cuts North of Smokey.

A reply has not been received and Sandy Hudson will check on this matter.

**District #6**

Councillor Dauphinee questioned on the status of the unsightly premises at Maplewood Drive, Ingonish. The condition has existed in excess of one year and has not been remedied. Action is necessary to correct the property as it is a concern in the area.

Sandy Hudson will contact Brad Parks and John Bain, Eastern District Planning Commission, with regard to this property.

Councillor Dauphinee questioned on a Noise By-Law for the Municipality. There is a property in his area that is excessively noisy.

There is no Noise By-Law in effect and Councillor Dauphinee will follow up with the RCMP with regard to this particular situation.

**District #5**

Deputy Warden Patterson indicated that he received a letter from the Cabot Trail Writers Guild requesting funding for an event they will be hosting on October 3, 2009. Councillor MacInnis has provided funding from his district budget and the remaining Councillors have agreed to provide \$200 each from their district budgets.

**It was moved by Deputy Warden Patterson, seconded by Councillor MacCuspig, that \$200 be provided from the District # 1, 2, 3, 5, 6, 7 and 8 District Budgets for the Cabot Trail Writers Festival. Motion carried.**

Deputy Warden Patterson indicated that there is a 10 to 12 acre property in his district that is being purchased by a group who plan to locate travel trailers on the property. This is a concern and he questioned whether there were any regulations that could prevent this. David MacKenzie, Building Inspector, is aware of the situation.

**District #3**

Deputy Warden Patterson assumed the Chair.

**It was moved by Warden Morrison, seconded by Councillor MacCuspig, that a letter of congratulations be forwarded to Jessica Wong on being selected as a member of Canada's Under 22 Women's Hockey Team. Motion carried.**

Warden Morrison assumed the Chair.

**District #1**

Councillor MacNeil questioned on the water rates for Little Narrows. The new rates were effective May 1, 2009. The meters have been installed and the first metered billing will be for the period July 1 to September 30, 2009. These bills will be out in early October.

**NEW BUSINESS**

**Gordon MacIntosh**

Sandy Hudson advised that Gordon MacIntosh will be available on October 8 and 9, 2009, to facilitate the organizational workshops for the Municipality.

**Municipal Planning Strategy and Land Use By-Law – Baddeck Planning Area**

The final draft document of the Municipal Planning Strategy and Land Use By-Law for the Baddeck Planning Area was presented. The document requires first reading and then must go to a Public Hearing before coming to Council for final approval.

**It was moved by Councillor MacLellan, seconded by Councillor Dauphinee, to approve the 1<sup>st</sup> reading of the Municipal Planning Strategy and Land Use By-Law for the Baddeck Planning Area. Motion carried.**

**It was moved by Councillor MacCuspig, seconded by Councillor MacNeil, that the Public Hearing on the Municipal Planning Strategy and Land Use By-Law for the Baddeck Planning Area be held prior to the October, 2009, meeting of Victoria County Municipal Council. Motion carried.**

**CORRESPONDENCE**

1. Letter from Sam MacPhee, Executive Director, Gaelic College, thanking Council for their financial and overall support.
2. Letters from Roy MacDonald concerning the following:
  - MacLennan's Cross road closure, Middle River
  - Pavement markings in Ingonish
  - Williams Road signage
  - Litter cleanup on roadsides and information on Adopt-A-Highway Program
  - Lighting issues at MacLennan's Cross, Middle River
3. Letter from Mary Lee, President/CEO, Association of Health Organizations, requesting that September, 2009, be declared "Continuing Care Month" in the Municipality of the County of Victoria.

**It was moved by Deputy Warden Patterson, seconded by Councillor Donovan, that September, 2009, be declared "Continuing Care Month" in the Municipality of the County of Victoria. Motion carried.**

4. Letters from Roy MacDonald, Area Manager, Department of Transportation and Infrastructure Renewal, and Bryne Butts, Eastern District Planning Commission, approving the following road names:
  - Unnamed Access Road in West Side Middle River as "Dannie Neil's Lane".
  - Private Road 6020(P), Ingonish Beach, as "Tall Pines Estates Road".

**It was moved by Councillor MacCuspig, seconded by Deputy Warden Patterson, that the name for the unnamed access road in West Middle River be approved as "Dannie Neil's Lane". Motion carried.**

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that Private Road 6020(P), Ingonish Beach, be named "Tall Pines Estates Road". Motion carried.**

**NEXT COUNCIL MEETING**

The next meeting of Victoria County Municipal Council will be held at the North Shore & District Fire Department Hall at Indian Brook, on Monday, September 21, 2009, at 5:00 p.m.

**ADJOURN**

**There being no further business, on motion of Councillor MacLellan, the meeting adjourned at 6:55 p.m.**

**A. W. (Sandy) Hudson, CAO**

**Bruce Morrison, Warden**