

VICTORIA COUNTY MUNICIPAL COUNCIL ANNUAL MEETING
September 3, 2002

The annual meeting of Victoria County Municipal Council was held on Tuesday, September 3, 2002 at the courthouse in Baddeck at 10:00 a.m.

Present were:

District #1 Councillor Dan E. MacNeil
District #3 Deputy Warden Bruce Morrison
District #4 Councillor John G. MacInnes
District #5 Warden Gerald Sampson
District # 6 Councillor Lawrence Barron
District #7 Councillor Wayne Budge

Absent were:

District #2 Councillor Shane Toms
District #8 Councillor Robert MacLellan

Also present:

Interim CAO, Heather MacLean
Director of Finance, Denise MacKinnon
Municipal Solicitor, Art Pickup
Municipal Auditors, Roach Perry Anderson
Recording secretary, Zina MacNeil

CALL TO ORDER

Warden Gerald Sampson called the annual meeting to order at 10:10 a.m.

APPROVAL AGENDA/TIME TOADJOURN

It was moved by Deputy Warden Bruce Morrison, seconded by Councillor John G. MacInnes, that the agenda be approved and the time set for adjournment be 2:40 p.m. Motion carried.

APPROVAL OF MINUTES

It was moved by Deputy Warden Bruce Morrison, seconded by Councillor Lawrence Barron, that the minutes of the August 19, 2002 meeting be approved. Motion carried.

BUSINESS ARISING

- Landfill training – NSCC are dealing directly with the landfill on setting up the training
- NH/NH Enviro Depot Expansion – Ingonish Contracting were contacted and the original tender price is still in effect and they will start the project when they finish the other one.
- The pressure washer was purchased

- The applications were sent to the Utilities Review Board regarding the water utilities and changing the rate of interest to a 1% monthly charge. A reply was received back from them to acknowledge our applications.
- Department of Transportation letters were sent out and the changing of the spelling of Barachois to Barrachois was approved. The White Point Road was put on hold until Bruce Fitzner, Department of Transportation meets with Warden Sampson, and Councillor Barron down in New Haven so they can see how bad the road is. Heather will arrange a meeting during the daytime.
- Information was received from ECBC that the Strategic Community Investment Funding was not intended for basic infrastructure.

CAO RECRUITMENT

Sandy Hudson, former lawyer in the Baddeck area was introduced as the new CAO. He was asked to come forward at this time to sign the contract for the new position. The second signature was for the exclusivity clause added to the original contract. The official start date for the new CAO will be September 23, 2002.

BUDGET & TAX RATES

Denise MacKinnon, Director of Finance came forward and presented council with the final budget worksheet. The final worksheet encompassed the changes as discussed at the August 19 budget meeting. The budget showed a surplus of \$103,319. This was with a \$0.02 reduction in the residential and commercial tax rates, changing the rate from \$1.27 residential to \$1.25 and \$2.14 commercial to \$2.12.

Tom Wilson and Ross MacDonald will revise their budgets to the amount approved by council.

APPROVAL OF BUDGET

It was moved by Councillor Lawrence Barron, seconded by Councillor Wayne Budge, that council accept the budget for 2002/2003 as presented. Motion carried.

RELOCATION OF TRANS CANADA HIGHWAY

Warden Sampson presented an article given to him by a Councillor Gordon MacLeod in the Cape Breton Regional Municipality. He could not be here himself and he wanted to relay the information to council with his concerns for the plans to twin the 104 at Sydport. There is the big concern that if the highway runs through St. Peters to Sydport that the trans Canada highway from the ferry in North Sydney through Baddeck and up to Port Hawkesbury will be forgotten. Not only could we lose construction and upgrading to these roads but we could lose the traffic from the ferry to the new highway. This move would directly hit our tourism industry on this side of the island.

It was recommended that Gordon MacLeod come to another council session.

It was moved by Deputy Warden Bruce Morrison, seconded by Councillor John G. MacInnes, that a letter be sent voicing councils opposition to the de-designation of the 104 Trans Canada Highway to Allan Rock, Minister of Infrastructure Programs, Mark Eyking, MP, and a copy to Premier John Hamm.

PRESENTATION FINANCIAL STATEMENTS

Dave Roach, C.A. and John Anderson, C.A. presented the non-consolidated financial statements for the year ending March 31, 2002. Mr. Roach read the auditors report. The total revenue for the year was \$6,291,625 and the total expenditures were \$6,188,306 leaving a surplus of \$103,319. The reserve accounts have a balance of \$159,217. The only thing that changed in the reserve the last year was the interest earned of \$1085.

Mr. Roach continued to walk council through the financial statement and explain and answer any questions council had.

It was moved by Councillor Dan E. MacNeil, seconded by Councillor John G. MacInnes, that council adopt the non-consolidated financial statements as presented by Mr. Roach, C.A., and John Anderson, C.A. Motion carried.

BREAK

Council took a break at 11:10 a.m. to go in camera.

INFRASTRUCTURE UPDATES

Dingwall: Ed Carey had been in touch with Infrastructure Nova Scotia and still not giving the definite approval. They are 99.9% sure but the announcements won't be until the end of the month. Eileen Whaller-Hebb is on vacation and this is whom he normally deals with. He will try Marvin MacDonald later today. The tenders should be ready next Wednesday. He needs council's permission to continue with the tender process of advertising and accepting tender applications.

It was moved by Deputy Warden Morrison, seconded by Councillor Budge, that the tenders be sent out with the added statement that the tender will be pending regulatory approval. Motion carried.

Neil's Harbour Storage Building: The storage building is nearly complete. A meter was installed as the fish plant was using a large amount of water. The meter will monitor the usage.

Ingonish Water: To date the amount of 35,000 was spent of the \$70,000 budgeted in 2001. The Conceptual Study will cost approximately \$20,000. They are still working with Parks Canada and the Department of Transportation. They need to confirm the number of users that will connect. It had been done before but needs to be updated to confirm that everyone will hook-up. It will have to be discussed with John Anderson as well.

It was moved by Councillor Barron, seconded by Councillor Budge that council approve to continue with the Engineering Feasibility Study. Motion carried.

Ed Carey said he would continue to work within that budget set in 2001.

Baddeck Sewer:

Unofficial sod turning was held. The official turning will be later in September.

Bethune's Corner Diversion:

Completed.

Queen St. Diversion:

This project is more expensive and the funds are not available at this time. It will cost approximately \$130,000 to do this project.

Baddeck Landfill:

The survey was finished last week and they are putting the drawing together for the local contractors. He will get back to council when the costs are in from the contractors.

RCMP:

Corporal Scott Williamson gave an update on the Baddeck Detachment. He presented a stats sheet for comparison of a 6-month period of January to July from last year to this year. There are currently 4 members paid by Victoria County, 1 member paid by Inverness County, 2 members first nation, 3 members working with the Highway Patrol, and 2 public servants working in the office. A new fast rescue craft will be coming in January to be stationed in Baddeck.

They are currently working with:

- Community policing
- Rural crime watch
- Emergency measures assisting Wagmatcook
- Ride Along Program
- Snow Machine Patrols Highlands
- Poker Run Patrol
- Wagmatcook Fishing Derby
- Canada Day Parade
- Christmas Parade
- Victim Assistance Program

- Restoring Justice
- Community office Assistance Boularderie
- DARE Program (Baddeck, Boularderie, Iona, First Nations)

Warden Sampson questioned Corporal Williamson on the Community Office in Boularderie and the Constable located there doing the DARE program in the different areas as listed above. Corporal Williamson stated that the Constable had a full work schedule that came first and the DARE program would possibly have to be fit in spare time. The constable's primary objective is to maintain his/her caseload. The DARE program is a 14-week program at an hour a week. Each area will run consecutively until each one is completed.

Highway Patrol:

Sargeant Hoss MacKenzie gave an update on the Cape Breton Highway Services. He is now in charge of this highway services. There are 6 members in North Sydney, 3 members in Port Hawkesbury, and 4 members in Baddeck. They will be concentrating on rural areas where it seems most offences for seat belts, stop signs, and related and related offences occur. They work with each area as a unit and determine where they need enforcement and target that area for a few days at a time with speed traps. That same area will be reassessed at a later time to see if it needs to be followed through or if progress had been made. They will put on a big seat belt drive as well. They work Sydney, Mabou, Inverness, Port Hawkesbury, and Ingonish. They are still available to help with detachment calls as well. And that works vice versa. Insurances will go down if they can push the seat belt issue and decrease the number of serious accidents, etc. Also plan to have driver trainers going out to the public school systems.

The village was looking for assistance with school parking, and support of putting two one-way streets going down of Chebucto to the water.

Ingonish Detachment:

Cal George from Ingonish Beach gave an update on the Ingonish RCMP. There are four constables paid by the municipality, 1 seargeant, and two parks enforcements. In November the two from the park will be gone. They also have one steno-clerk. There are ongoing talks of Parks Canada and Fisheries and Oceans combining into one building. It is just a matter of getting all parties together.

- The Vial of Life Program is in effect in some of the areas and they are working on the setting up the others. It will be updated every six months.
- The DARE program is in effect as well.
- Community Assistance Program
- Search & Rescue Team/Joint Ingonish and Cheticamp
- School Program-regular visits
- Highlands Enforcements
- Canada Day Celebrations
- Remembrance Day
- North Shore School to be included in DARE program this year

Councillor Budge thanked Cal George for all the support given at Cabot school dances, poaching, etc.

The members of the RCMP left at this time.

Break for lunch at 12:30.

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SMOKING CESSATION

Vince Steele, the District Health Authority's Coordinator, Dr. Andrew Holmes, Family Practitioner in Baddeck, and John Malcom, CEO for the Cape Breton District Health Authority, with the support of the Victoria County Community Health Board gave a presentation on smoking cessation. They had been before council about a year ago. They provided an information binder to all council members and discussed all the issues health and other in regards to second hand smoking. They had recommendations for 100% smoking ban in all public places and workplaces, no exceptions, short implementation phase from 3-6 months, and commitment to enforcement. They want the Municipality of Victoria to show leadership in this issue

It was moved by Deputy Warden Morrison, seconded by Councillor Budge, that a notice of motion that Victoria County would develop a smoke-free by-law to take effect January 1, 2003. This motion will be brought to the next council session. Motion carried.

MLA Kennie MacAskill came forward to thank council for a step in the right direction with the smoking bylaw.

Mr. Stone came forward as well to congratulate council on its decision.

The municipal solicitor will be contacted to discuss the draft bylaw document.

RECREATION/TOURISM UPDATE:

Tom Wilson gave an annual report from last year. He mentioned that it had been the 20th year for volunteer recognition and he had the information for all those years on the web page.

The heritage program has started the 1st phase of the municipal archives. Joan MacInnes has done excellent work and there are 15 new heritage properties. They are working on a project to digitize the archives with HRDC. The application went in and we should know something by the end of this month.

He will advertise the Smoking By-Law on the webpage as well. Ross and Tom are working on a new web page for the county with a modern global approach and it should be ready shortly.

They are working on the IT field trying to get high speed Internet to the rural areas.

The Growth Fund has representatives from Inverness and Richmond. Tom Wilson would like to be nominated to be on that committee as well to give input from Victoria County.

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It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that a letter be sent requesting that Victoria County have a representative on the task force for the Growth Fund. A copy of the letter should be sent to MP, Mark Eyking, and MP, Roger Cuzner, Minister Allan Rock, and Henry Brian, ACOA. Motion carried.

It was moved by Councillor MacInnes, seconded by Councillor Barron, that the Recreation and Tourism Report be accepted as presented. Motion carried.

The IT Centre in Baddeck was discussed and to whether it will remain open. The numbers are fine it would be a funding problem if any. There are a lot of HRDC contracts up in December. On October 1st the Ingonish youth centre will open which will be similar to the IT Centre in Baddeck.

DISTRICT CONCERNS:

- The parking at the school in Baddeck and the village streets was a concern and a letter should be sent requesting Seargeant MacKenzie to monitor the parking at the school and the village streets.
- Councillor MacInnes was concerned with the St. Ann's Bay water management.

It was moved by Councillor MacInnes, seconded by Councillor MacNeil, that a letter be written to John Bain to investigate the creation of a watershed plan. Motion carried.

- The issue of the lights for the ferry not working should be out on the highway coming from Sydney to Baddeck to show you before you turn off.

It was moved by Councillor MacInnes, seconded by Councillor Budge, that a letter be sent to the Minister of Transportation requesting that the two signs be posted on the highway, one in each direction, that the Englishtown Ferry is not working. One before you get to the turnoff at Englishtown from Sydney and the other on the way from Baddeck. Motion carried.

- Ski Hill – they are trying to sell an operation that is not up and running and it would be easier to sell if it was running. They should go after the province for operating funding but the board is just sitting there no doing

anything. Councillor Barron wants council to take the lead in it. He presented a resolution to council that Heather MacLean read.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that council adopt the resolution as presented. Motion carried.

It was moved by Councillor Barron, seconded by Councillor Budge, that a letter be sent to Minister Rodney MacDonald, and Minister Cecil Clarke to meet and discuss long term funding for the Ski Hill. Motion carried.

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Warden Sampson asked permission to purchase 3 tickets for the Lieutenant Governor for the Celtic Colours festival from his district budget.

Councillor MacNeil excused himself.

CORRESPONDENCE:

- UNSM regarding the resolution for the increase in ferry fares. The Resolutions Committee would not be recommending the resolution “Increase in Ferry Fares.” They have prepared an alternate resolution and both will be presented to the Conference for consideration.

The new resolution:

“Ferries” submitted by the UNSM Resolutions Committee

WHEREAS there are a number of ferries operating in various parts of the province; and

WHEREAS the Province has not taken significant steps to improve the infrastructure supporting these ferries;

THEREFORE BE IN RESOLVED that the Union of Nova Scotia Municipalities petition the Province of Nova Scotia to take steps to bring these crossings up to modern highway standards including a consideration of whether the fees charged are appropriate to the service provided and a consideration of whether permanent crossing should be constructed in some areas.

It was moved by Councillor MacInnes, seconded by Councillor Budge, that a letter be sent to the UNSM Resolutions Committee accepting the new resolution on the ferries. Motion carried.

- Cecil Clarke, Minister of Economic Development – re: Ski Cape Smokey and no remittances sent into Revenue Canada for two years. Also noted that they do not seem to have financial statements that were sent in with the business plan. Councillor Barron said they would give it to them when they get the meeting set up.

- Nova Scotia Utility and Review Board – Acknowledging receipt of letter with applications on behalf of Dingwall Water, Little Narrows Water, and Neil’s Harbour/New Haven Water amending the schedule of rates on late payments.
- UNSM memo – Scholarship for Local Government Leadership Development Program
- Federation of Canadian Municipalities – Green Municipal Funds now accepting submissions for year-round.

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- Rural Cape Breton District Planning Commission – approval for the subdivision of the lands of Ervin Barron, Velma Barretto and Elizabeth Barretto.
- ECBC, Rick Beaton, a letter regarding the Tourism Road Map
- Cape Breton Fire Fighters Burn Camp – send back donations or keep for next year.
- Kinder House – a letter was received stating that the fire department’s refusal to pay the other half of the bill to fix the smell as requested by the municipality. They paid it themselves and were looking for us to pay the other half.

It was moved by Deputy Warden Morrison, seconded by Councillor MacInnes, that we give them the original amount and the \$450 for the current bill. Motion carried.

- UNSM wants confirmation of partners attending the conference by Oct. 11/02.
- Two tenders received for the landfill road to grade and gravel the road. One from D.W. Matheson \$16,000 plus HST. Barra Construction \$7,200. It was decided to wait and refer it back to Solid Waste Committee before making a decision on it.

ADJOURN

It was moved by Councillor Barron, seconded by Councillor MacInnes, that the meeting adjourn at 3:30 p.m. Motion carried.