

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**September 8, 2008**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, September 8, 2008, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Paul MacNeil  
District #2 – Keith MacCuspic  
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. Warden Budge advised that the Baddeck Public Library presentation has been postponed and the naming of a mountain presentation would be moved up to take place after approval of the minutes. An update of the financial information is also to be added to the agenda.

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

**APPROVAL OF MINUTES – AUGUST 18, 2008**

The minutes of the August 18, 2008, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor Barron, seconded by Councillor Patterson, that the August 18, 2008, minutes of Victoria County Municipal Council be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Victoria County Website**

Sue Difiore is to make a presentation on the Victoria County website at the Community Development Committee on September 9, 2008.

**Neil's Harbour/New Haven Water Meeting**

A meeting is to be coordinated within the next couple of weeks with the Buchanan Memorial Hospital, Highland Manor, Victoria Co-op Fisheries and municipal personnel to discuss and address the seasonal water problem with the Neil's Harbour/New Haven Water System.

**Dangerous and Unsightly Premises**

Sandy Hudson visited the unsightly properties in District #8, along with David MacKenzie, Building Inspector. Mr. Hudson has requested the Eastern District Planning Commission to provide him with the files to see what has been done to date and determine how to proceed.

**NAMING OF MOUNTAIN**

Courtesy of Council was extended to Jamie Fricker who was in attendance with regard to naming a mountain in Sugarloaf.

Ms. Fricker indicated that her father, Theodore Fricker, passed away in November, 2007. He was well known for being in the woods behind his home and she is undertaking efforts to have a mountain named after him. She has gathered 260 signatures on a petition in support of naming the mountain Theodore Fricker Mountain. She also has received a letter of support from the Department of Natural Resources. She is requesting the Municipality to provide a letter of support.

**It was moved by Councillor MacLellan, seconded by Deputy Warden MacInnes, that a letter of support be provided to name a mountain in Sugarloaf as "Theodore Fricker Mountain". Motion carried.**

**NEIL'S HARBOUR ENVIRO-DEPOT**

The Neil's Harbour Enviro-Depot was discussed. A number of Council members have visited the site since the last meeting.

Sandy Hudson indicated that a couple of ways to alleviate the existing problems are to hire more staff which will enable the material to be processed faster and to call for pick up of materials before a full load is ready. This would ensure that the materials are picked up when ready.

Mr. Hudson advised that they are currently advertising for two additional casual workers. As far as additional space, he indicated that the office area in the building could be utilized for a work area and a small expansion could be put on one end of the building for an office.

The Municipality does not own the building. It is owned by the fire department and the Municipality have a 20 year lease on the building.

The lack of washroom facilities in the building was discussed and Mr. Hudson advised that the facilities at the Neil's Harbour Fire Department, next door, are available for the staff to use.

Council members brought up concerns they received with regard to the use of the skid steer as a forklift and the lack of supplies available for use at the site.

Sandy Hudson advised that the supply issue has been addressed. Greg Ingraham is the manager of this site and he has the authority to ensure that supplies are purchased as required.

The additional staff and the calling for earlier pickup will be the first step in the process and the situation will continue to be monitored.

### **DISTRICT CONCERNS**

#### **District #4**

Deputy Warden MacInnes questioned on who was responsible for erecting caution signs for school bus stops ahead. He has a situation in the River Bennett area that he would like addressed. He was advised to contact Colleen MacMullin, Director of Conveyance for the Cape Breton-Victoria Regional School Board in this regard.

#### **District #3**

Councillor Morrison requested that a letter be forwarded to the Department of Transportation and Infrastructure Renewal, requesting that ditching be carried out in the Village of Baddeck, particularly on MacLeod Street, from the intersection with Queen Street to the intersection with Jones Street.

**District #2**

Councillor MacCuspig indicated that the National Boy Scout Jamboree will be held in New Harris next summer and financial support will be requested for same at a future date.

**It was moved by Councillor MacCuspig, seconded by Councillor Morrison, that the National Boy Scout Jamboree for 2009 be referred to the 2008/09 budget deliberations. Motion carried.**

**It was moved by Councillor MacCuspig, seconded by Deputy Warden MacInnes, that a letter be forwarded to the Department of Transportation requesting that a centre turning lane for vehicles turning left to Highway 205 at Exit 10 be installed and after this turning lane, a sign be erected indicating ‘keep right except to pass’. Motion carried.**

**District #1**

**It was moved by Councillor MacNeil, seconded by Councillor Morrison, that a letter be forwarded to former Councillor Michael Dan MacNeil congratulating him on his recent appointment to the Order of Nova Scotia. Motion carried.**

Councillor MacNeil requested that additional mowing/bushwhacking of the roadsides in District #1 and repairs to the Washabuck Mountain Road be included in the letter to the Department of Transportation.

The rainy weather has contributed to a lot of problems on the highways throughout Victoria County. Every district has problems to be addressed. The Department of Transportation are coordinating their efforts to repairing and replacing what has been damaged.

**District #6**

At the previous meeting, Councillor Barron gave notice of motion concerning funding for the Smokey Recreational Society Outdoor Rink Project. He now wished to make the motion.

Discussion took place on the project. The total project cost is \$1.4 million dollars and Councillor Barron outlined the avenues for funding that have been or will be applied for. The Northern Victoria Community Centre project was also discussed and funding for that project will also be requested in the future.

**It was moved by Councillor Barron, seconded by Deputy Warden MacInnes, that the Municipality budget \$68,000.00 from the 2009/10 budget for the Smokey Recreational Society Outdoor Rink Project, contingent on funding being approved from the other levels of government. Motion carried.**

**It was moved by Councillor Barron, seconded by Councillor MacLellan, that \$500.00 be approved from the District #6 budget for the Ingonish Social Club. Motion carried.**

**It was moved by Councillor Barron, seconded by Councillor MacLellan, that \$5,000.00 be approved for the Smokey Recreational Society for rink improvements from the District #6 budget. Motion carried.**

**It was moved by Councillor Barron, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation, with a copy to Keith Bain, MLA, requesting that a larger culvert be installed on the Cabot Trail before Doucette's Road, Ingonish Beach. Motion carried.**

**District #7**

**It was moved by Warden Budge, seconded by Councillor MacLellan, that the following be approved from the District #7 budget**

- \$2,000.00 for the Department of Transportation and Infrastructure Renewal for placing armour stone**
- \$1,500.00 for the North Highlands Elementary School to assist with the cost of installation of a fish tank**
- \$1,000.00 for St. Francis Parish Hall to assist with heating costs**
- \$1,000.00 for St. Andrew's Parish Hall to assist with heating costs**
- \$1,000.00 for Ingonish Community Hall to assist with heating costs**
- \$1,000.00 for St. John's Hall, Ingonish, to assist with heating costs**

**Motion carried.**

**CORRESPONDENCE**

A letter was received from the Northeast Highlands Chamber of Commerce advising that they would be holding a Fall Classic Golf Tournament at Highland Links Golf Course on October 10, 2008.

As the RCMP Golf Tournament has been cancelled, the Municipality will enter a team in this tournament.

**RECESS**

Warden Budge advised that Council would recess for 10 minutes.

**RURAL ENERGY ACTION CONFERENCE AND TRADE SHOW**

Council was advised that a message was received from Amy Melmock during the recess advising that she would not be available to make her presentation on the Rural Energy Action Conference and Trade Show this evening.

**DOG CONTROL ISSUE**

Courtesy of Council was extended to Karen Hatcher who was in attendance to outline her concerns with regard to a dog control issue.

Background information was provided on the incident that occurred that resulted in the CAO sending her a letter on June 17, 2008, declaring her dog a fierce and dangerous dog under the *Municipal Dog Control By-Law*.

Ms. Hatcher indicated that this is an unfair designation for the dog, as he has not shown any aggression prior to or since the incident in question. The dog has been relocated to another district and is no longer in the community where the incident occurred. She indicated that he is a marked dog in her district and can no longer live there.

Ms. Hatcher outlined her concerns with regard to actions taken and comments made by the Dog Controller in apprehending the dog to take to the SPCA and the information provided to the SPCA on the dog. She also expressed concern that when the dog was no longer in the district, he was accused of attacking the same dog again. The dog was with his caretakers on the North Shore at the time of this incident.

Ms. Hatcher advised that she was in contact with Warden Budge regarding the Dog By-Law and dog catcher before one was appointed to ensure that she was complying with the regulations and was unaware that Terry Hogan was appointed Dog Controller at the time of the incident. She indicated that she covered the cost of the veterinary bill for the first incident and the issue with the dog owners has been resolved.

Warden Budge advised that the Dog Controller was called on at least a few occasions with regard to this dog running at large when it was owned by the previous owner before Ms. Hatcher acquired ownership.

Sandy Hudson advised that this was the first incidence that occurred after the passing of the *Dog Control By-Law* and it was the first apprehension for he new Dog Controller. In deeming the dog as "fierce and dangerous", they were following the regulations contained in the by-law.

Ms. Hatcher advised that the whole situation has been very upsetting to her. She questioned on the policies the Municipality has in place with regard to hiring and training for dog controllers. Sandy Hudson advised that in the near future the SPCA will be providing training to the dog controllers on the proper handling of animals. She felt confidentiality, acting on accurate information and dealing with the public should be a requirement for any job.

Further discussion took place.

**It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that the Dog Controllers receive training in how to handle animals and dealing with the public. Motion carried.**

Ms. Hatcher thanked Council for their time and she in turn was extended thanks for the information provided.

**ADJOURN**

**There being no further business, on motion of Deputy Warden MacInnes, the meeting adjourned at 6:45 p.m.**