

VICTORIA COUNTY MUNICIPAL COUNCIL
September 21, 2009

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

Present were:

District #1 – Paul MacNeil
District #2 – Keith MacCuspic (Late Arrival)
District #3 – Bruce Morrison, Warden
District #4 – Merrill MacInnis
District #6 – Larry Dauphinee
District #7 – David Donovan
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

Absent was:

District #5 – Fraser Patterson, Deputy Warden (On vacation in Ireland)

CALL TO ORDER/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and presented the agenda for approval.

Councillor Donovan requested that a Moment of Silence be observed for former Councillor for District #4, John Graham MacInnes. This is Council's first visit to District #4 since his passing.

It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that the agenda be approved with the noted addition. Motion carried.

MOMENT OF SILENCE

Council and the public observed a moment of silence for the Late John Graham MacInnes.

CAPE BRETON REGIONAL HOSPITAL FOUNDATION

Courtesy of Council was extended to Barbara Stead-Coyle, Chief Executive Officer, Cape Breton Regional Hospital Foundation; Pat Bates, Volunteer Cabinet Member, Cape Breton Cares Campaign; and Henry Fuller, Victoria County resident and Campaign supporter.

Mr. Bates indicated that the Cape Breton Cares Campaign is a \$9.875 million dollar campaign. The total community portion of the Campaign is \$3.6 million. The Campaign beneficiaries are the Cape Breton Cancer Centre to enhance cancer care and the Neonatal Intensive Care Unit at the Cape Breton Regional Hospital.

Mr. Bates indicated that the Cape Breton Cancer Centre has been ranked #1 nationally for the past 3 years in terms of patient care and level of care. When the Cancer Centre opened it was expected to treat 7,000 patient visits per year; however, last year there were more than 27,000 patient visits. It is one of only two centres in Nova Scotia and treats patients from all Cape Breton Counties, as well as Guysborough, Antigonish, Pictou, and now treating patients from Halifax.

A breakdown of the patients treated by County was provided and it indicated that 151 patients from Victoria County were treated at the Cape Breton Cancer Centre last year. The expansion of the Centre includes an addition to the existing building to house a new linear accelerator and CT Simulator used in radiation therapy. Cancer surgical and diagnostic equipment will also be purchased.

The Neonatal Intensive Care Unit at the Cape Breton Regional Hospital is one of only two NICU's in Nova Scotia. Last year more than 300 babies were fully treated in Cape Breton, with only 5 having to be transported to the IWK for additional care. The NICU houses 14 babies at any given time and \$600,000.00 is required for a new monitoring system.

Mr. Bates indicated that they are requesting Victoria County Municipal Council to consider a contribution of \$50,000.00 - \$10,000.00 per year for a five year period.

Ms. Stead-Coyle reiterated the importance of the Campaign and provided information on the testimony received from Mary Kennedy who lost her daughter to cancer. Ms. Kennedy has become one of the most valuable spokespeople for the Cape Breton Cares Campaign.

Henry Fuller advised how cancer has affected his life, with the loss of his wife and best friend to the disease. He advised that there was no comparison to the care received by his wife and that of his best friend in the United States. His wife received excellent care and the atmosphere at the Cape Breton Cancer Centre was always a good one. His friend was not as fortunate as he did not have health care insurance.

Mr. Fuller presented statistics he read recently in the Globe and Mail comparing Canada and US health care. We are very fortunate in Canada and he felt that Council should support the Cape Breton Cares Campaign as requested.

Discussion took place.

It was moved by Councillor Donovan, seconded by Councillor MacLellan, that \$10,000.00 per year for a five year period be approved for the Cape Breton Cares Campaign. Motion carried.

JOHN BERK

Warden Morrison introduced John Berk, Animal Controller for the South of Smokey area, who was in attendance.

ICSP UPDATE

Warden Morrison extended the courtesy of Council to Kristen Morse, Stantec, to review the Integrated Community Sustainability Plan Draft Report.

The draft document is to be submitted to the province by September 30, 2009, with the final document to be filed with the province by March 31, 2010.

Ms. Morse indicated that the document is 117 pages long, but a number of the pages are the appendices, so the actual document to be reviewed is 40 pages. The purpose of the ICSP is to provide the Municipality with a long-term, forward-thinking strategic plan, which provides direction for the community to realize sustainability objectives for its environmental, economic, social and cultural, and physical dimensions.

Ms. Morse reviewed the vision statement and sustainability themes with Council and outlined the goals and actions as they pertained to the sustainability themes of tourism; employment opportunities; community assets; population; livability and social well being; and environmental stewardship.

Concern was expressed that the fishery is not included in the employment opportunities section. This was addressed when the strategic plan was developed and should be included in the ICSP. It is the 2nd highest revenue generator in the Municipality. This matter will be addressed.

ENTERED

Councillor Keith MacCuspig entered at this time.

ICSP UPDATE

The potential projects eligible for funding were reviewed. Partnerships and collaborations are the foundation of successful problem-solving and the ICSP is recommending support for existing partnerships and the pursuit of future ones. The section pertaining to land use planning recommendations was reviewed. The Statements of Provincial Interest as they applied to drinking water supply, flood risk areas, agricultural land, infrastructure and housing were also outlined to Council.

Ms. Morse indicated that it has not yet been determined as to how the province will want this document to be reviewed, whether it will be annually or every two years.

Discussion took place on the draft ICSP Plan. Including Cape Breton University and the Nova Scotia Community Colleges in the partnerships and collaboration section was discussed. It was also indicated that land use planning is something that should be pursued for the entire County.

Ms. Morse requested that Council forward their revision requests through Sandy Hudson and they will be incorporated into the final document.

It was moved by Councillor MacCuspic, seconded by Councillor MacLellan, that the progress update, Draft Report of the Integrated Community Sustainability Plan (ISCP) for the Municipality of the County of Victoria be accepted and revisions be forwarded to Sandy Hudson by October 19, 2009, for inclusion in the final ICSP document. Motion carried.

Ms. Morse was extended a vote of thanks and left at this time.

COFFEE BREAK

Warden Morrison advised that Council would recess for 10 minutes.

APPROVAL OF MINUTES/BUSINESS ARISING

Victoria County Municipal Council – August 17, 2009

The minutes of the August 17, 2009, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Donovan, seconded by Councillor MacNeil, that the Victoria County Municipal Council minutes of August 17, 2009, be accepted as presented. Motion carried.

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The status of Lyle Donovan's appointment as Emergency Measures Coordinator was discussed. Mr. Donovan is Interim EMC until the position is put on open competition. This is anticipated to be done prior to the end of the year.

Victoria County Municipal Council – August 24, 2009

The August 24, 2009, minutes of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacLellan, seconded by Councillor MacCuspig, that the August 24, 2009, minutes of Victoria County Municipal Council be approved as presented. Motion carried.

Victoria County Community Development Committee – September 8, 2009

The minutes of the September 8, 2009, meeting of the Victoria County Municipal Community Development Committee were presented for approval.

It was moved by Councillor MacCuspig, seconded by Councillor MacLellan, that the Victoria County Municipal Community Development Committee minutes of September 8, 2009, be accepted as presented. Motion carried.

The draft advertisement for the Economic Development Officer position was reviewed. The salary for the position is not included in the job advertisement and will be discussed during the interview process.

It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that the job advertisement for the Economic Development Officer position be approved and advertised. Motion carried.

Victoria County Municipal Broadband Committee – September 9, 2009

The minutes of the Victoria County Municipal Broadband Committee of September 9, 2009, were presented for approval.

It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that the Victoria County Municipal Broadband Committee minutes of September 9, 2009, be approved as presented. Motion carried.

It was indicated that the September 14, 2009, date for the activation of the Tarbot sites did not take place. Council was advised that an email update was provided today indicating the sites were operating.

DOG CONTROL

There is a problem with dog owners, who no longer want their dog requesting the Dog Control Officer to take the dog. The dogs are then being euthanized and the Municipality is absorbing bills from the veterinary clinic. It was felt that the dog owners should be responsible for these charges.

Also a situation has arisen with two pit bull dogs that were going to be let go by their owner who was moving away, if they weren't picked up by the Dog Control Officer. These were healthy dogs and when taken to the vet, they were not anxious to euthanize the animals. The veterinary office is now refusing to euthanize healthy dogs.

The local vet clinic has assisted in the past in finding homes for healthy dogs brought to them, but the recent situation with the pit bulls dogs, has resulted in the vet clinic not taking any animals brought in by the Dog Control Officer.

The SPCA is full at present and cannot accommodate any animals. John Berk indicated that he picked up a dog over a week ago and he still has the animal.

It was felt that the Municipality should not incur the expense of euthanizing dogs taken from dog owners. The bills for the expense should be sent to the dog owner.

Discussion took place on how to proceed with the dog problem. Whether an advertisement could be placed for people within the County who would be interested in accepting dogs was discussed. The possibility of contacting the SPCA to investigate the option of setting up a satellite office in Victoria County was discussed.

It was moved by Councillor MacInnis, seconded by Councillor MacCuspic, that the CAO contact the SPCA to investigate the possibility of setting up a satellite facility in Victoria County. Motion carried.

Sandy Hudson will contact the SPCA immediately and set up a meeting with the Baddeck Veterinary Clinic to explain how the Municipality is dealing with the dog control issues.

John Berk questioned on the cat issue also and was assured that if successful in getting a satellite facility in Victoria County, cats would also be accommodated.

NEW BUSINESS

Councillor Donovan indicated at the last Tourism meeting a discussion took place on the controlled access highway from Exit 8 across Kelly's Mountain on the TCH 105. The Tourism Committee felt the designation of this road should be changed.

It was moved by Councillor Donovan, seconded by Councillor MacInnis, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that the controlled access designation for the area on the TCH 105 from Exit 8 across Kelly's Mountain be removed. Motion carried.

Councillor Donovan also indicated that the Tourism Committee discussed the possibility of erecting signage at the Nova Scotia Border and considered the possibility of doing same in conjunction with other municipal units on Cape Breton Island. Whether the Province would erect such signage was questioned.

It was moved by Councillor Donovan, seconded by Councillor MacCuspic, that a letter be forwarded to the Provincial Department of Tourism requesting that they erect signage at the Nova Scotia border to promote Cape Breton Island. Motion carried.

DISTRICT CONCERNS

District #7

Councillor Donovan questioned on the funding for the Six Ports Harbour Authority and he was advised that they are to submit a letter requesting the funding and the cheque will be forwarded.

It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, outlining appreciation for the work done and response given by Nelson Dixon and the DOT crew in the North of Smokey area over the summer. Motion carried.

District #4

It was moved by Councillor MacInnis, seconded by Councillor MacLellan, that the request from Ron Caplan to advertise in the Cape Breton Books catalog in the amount of \$1,500.00 be approved. Motion carried.

Councillor MacInnis indicated that there has been a problem with bus scheduling in his district in that students are getting on the bus at 7:35 am and not returning home until 4:15 pm. This matter is in the hands of the School Board at present and he indicated he will await further action until it is known if the situation will be resolved.

Councillor MacInnis brought up the Ride for the Cure that took place around the Cabot Trail this past weekend. \$80,000.00 was raised, with approximately 800

motorcycles taking part and countless volunteers. He felt it would be good to have recognition to such groups when traveling in our County in the form of a welcome sign.

There are five entry points to Victoria County and it was felt if signs were being erected, they should be located at each entrance.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that the matter of signage be referred to the Victoria County Municipal Tourism Committee. Motion carried.

Councillor MacInnis presented a petition to change the road name at 45833 Cabot Trail, Indian Brook, to "Piper's Lane".

It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that the request to rename 45833 Cabot Trail, Indian Brook, to "Piper's Lane" be referred to the Eastern District Planning Commission and Department of Transportation and Infrastructure Renewal for their approval prior to Council approving the road name change. Motion carried.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, requesting that repairs be undertaken to the culvert adjacent to the Glen Valley United Church in South Haven. Motion carried.

Councillor MacInnis welcomed Council and the public to his district.

District #6

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the petition to have Private Road 6015(P), Ingonish Beach, renamed "Old School Lane" be referred to the Eastern District Planning Commission and Department of Transportation and Infrastructure Renewal for their approval prior to Council approving the road name change. Motion carried.

Councillor Dauphinee brought up the matter to Corson's Bridge at Ingonish Harbour. The bridge is now one lane, and a bailey bridge has been ordered to be temporarily located adjacent to the bridge. He indicated that they wished to have immediate action to repair Corson's Bridge.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, requesting that immediate action be taken to repair Corson's Bridge. Motion carried.

Councillor Dauphinee brought up the matter of the unsightly premises on Maplewood Drive, Ingonish. Attempts to contact the owner of the property have been unsuccessful. The property can be posted and a date set for a public hearing at Council.

It was moved by Councillor Dauphinee, seconded by Councillor MacLellan, that the unsightly premises at Maplewood Drive be posted indicating that a public hearing on this matter will be held at the October 19, 2009, Council Session. Motion carried.

Councillor Dauphinee questioned whether there was a reply from the School Board with regard to the teacher cutbacks North of Smokey. A reply has not been received.

Representatives from the School Board are to be invited to attend Council to discuss Council's concerns and the letter is to also indicate Council's concern on the lack of response to the correspondence forwarded from Council.

District #8

An invitation has been forwarded to Helene Robichaud, Superintendent, Cape Breton Highlands National Park, requesting that she come to the next Council meeting to discuss their current management plan.

The resolution to be brought to Council regarding protected areas and creation of a marine park will be tabled until after the meeting with National Park representatives.

Councillor Dauphinee questioned whether he would be in conflict when this presentation takes place as he is employed by Parks Canada. He was advised he could declare a conflict and leave the meeting for this presentation and return when completed.

District #2

It was moved by Councillor MacCuspig, seconded by Councillor MacNeil, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, requesting that the brush along the roadside by MacLeod's Brook, coming out of MacIntyre Road and the area by the Middle River School be removed. Motion carried.

Councillor MacCuspig questioned whether contaminated soil is now being accepted at the Baddeck Municipal Solid Waste Facility. Sandy Hudson advised that a meeting has been scheduled with the Department of the Environment on September 23, 2009, and he will be in a better position to answer this question after that time.

Councillor MacCuspig questioned on derelict vehicles. He has a couple of sites in his district where derelict vehicles are located. He is to contact Robert Dauphinee in this regard.

It was moved by Councillor MacCuspig, seconded by Councillor MacInnis, that a \$500.00 donation be forwarded to the “Ride for the Cure” from the Municipality of the County of Victoria. Motion carried.

District #1

Councillor MacNeil indicated during the last rainstorm, a number of the culverts failed in his district.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspig, that a letter be forwarded to Roy MacDonald, Department of Transportation and Infrastructure Renewal, requesting that they undertake an audit of all culverts in Victoria County to ensure their adequacy. Motion carried.

Councillor MacNeil brought forward information sometime ago on the British Home Children event to be held in Sydney. He requested each Council member to donate \$100 from their district budgets to assist with this event.

It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that each of the Council Members provide \$100 from their district budgets for the British Home Children event to be held in Sydney. Motion carried.

It was moved by Councillor MacNeil, seconded by Councillor Donovan, that a street light be located at Civic Address 679 Highway 223 to be paid for through the District #1 budget. Motion carried.

Sandy Hudson indicated that the energy audit for the Municipality mentioned a policy on streetlights. Streetlights cost the Council \$273,000 annually.

ASSUMES CHAIR

Councillor Paul MacNeil assumed the Chair.

District #3

It was moved by Warden Morrison, seconded by Councillor MacLellan, that the request to rename Bramble Lane, Baddeck Bay, to “Bell Bay Way” be referred to the Eastern District Planning Commission and Department of Transportation

and Infrastructure Renewal for their approval prior to Council approving the road name change. Motion carried.

A request was received from Alderwood Rest Home to guarantee a \$1.6 million dollar loan through the East Coast Credit Union until June, 2010.

It was moved by Warden Morrison, seconded by Councillor MacInnis, that the Municipality guarantee the \$1.6 million dollar loan for Alderwood Rest Home. Motion carried.

Warden Morrison returned to the Chair.

NEW BUSINESS

GORDON MACINTOSH

Gordon MacIntosh will be conducting his governance workshops for the Municipality on October 8 and 9, 2009. Council will be advised as to times and location at a later date.

SOUTHSIDE BOULARDERIE FIRE DEPARTMENT

Sandy Hudson advised that a representative from the Southside Boularderie Fire Department visited his office concerning responding to fire calls in Victoria County. The Department is located just on the other side of the Victoria County border in CBRM and are called to respond to fires in Victoria County. The same situation occurs with Big Bras d'Or Fire Department responding to fires in Millville in CBRM.

Sandy Hudson will contact CBRM to see how they handle such situations with the Big Bras d'Or Volunteer Fire Department and report back.

PUBLIC HEARING – MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW

It was moved by Councillor MacCuspik, seconded by Councillor MacLellan, that the public hearing on the Municipal Planning Strategy and Land Use By-Law be held prior to Council on Monday, October 19, 2009, at 4:30 p.m. at the Court House, Baddeck. Motion carried.

TEMPORARY BORROWING RESOLUTION

Sandy Hudson advised that a temporary borrowing resolution is required for \$700,000.00 for the purchase of solid waste collection equipment. Approval of this borrowing is required from the Minister of Service Nova Scotia and Municipal Relations.

It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that approval be given to go to the Minister of Service Nova Scotia and Municipal Relations for a temporary borrowing resolution in the amount of \$700,000.00 for the purchase of solid waste collection equipment. Motion carried.

CAPITAL INVESTMENT PLAN

It is a requirement that the Municipality submit a 5 year Capital Investment Plan to the Province. The list of projects included in the document was reviewed. Additions can be made to this list by motion of Council.

It was moved by Councillor MacCuspic, seconded by Councillor MacLellan, that the 5 year Capital Investment Plan for the Municipality be approved and forwarded to the Province. Motion carried.

QUIT CLAIM DEED – A. EMERSON DUNPHY

A request was received for the issuance of a quit claim deed to A. Emerson Dunphy for the property at 21 Dunphy Road, Ingonish Beach. Sandy Hudson explained the situation and indicated that it is being recommended that the quit claim deed be approved.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that a quit claim deed be approved for A. Emerson Dunphy for property at 21 Dunphy Road, Ingonish Beach. Motion carried.

CORRESPONDENCE

1. Letter from David Parkinson, Cabot Trail Relay Association, in reply to Council's concerns and enclosing a copy of the 2009 financial statement.
2. Request from the Victoria Highlanders Soccer Association that the \$20,000.00 funding approved for upgrades to the soccer field behind Baddeck Academy be held over until next year.

It was moved by Warden Morrison, seconded by Councillor MacCuspic, that the \$20,000.00 funding approved for the Victoria Highlanders Soccer Association to upgrade the soccer field at Baddeck Academy be deferred until next year. Motion carried.

3. Correspondence from Eileen Lannon-Oldford, CEO, CBCEDA, requesting funding to assist with the 1st Cape Breton Newcomers Forum to be held at the Membertou Trade and Convention Centre from November 13-15, 2009. The request is for \$1,000.00.

It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that \$1,000.00 be approved for the 1st Cape Breton Newcomers Forum. Motion carried.

4. Correspondence from Veronika Brzeski offering French language training and translation services.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the Municipality assist with the provision of facilities for the French language training. Motion carried.

5. Letter from Royal Canadian Legion Branch 105 enclosing an invoice for Remembrance Day wreath and requesting to be notified who will be laying the wreath on behalf of the Municipality.

A County representative will be at each Legion and cenotaph in the Municipality to lay a wreath on behalf of the Municipality.

6. Request from the Cape Breton Regional Library to proclaim October 1-31, 2009, as LIBRARY CARD MONTH in the Municipality of the County of Victoria.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that October 1-31, 2009, be proclaimed LIBRARY CARD MONTH in the Municipality of the County of Victoria. Motion carried.

7. The Annual UNSM Conference will be held at the Westin Nova Scotian Hotel, Halifax, from November 4-7, 2009. Those interested in attending are to let the Municipal Office know as soon as possible so arrangements can be made.
8. Email from Sylvia Johnston requesting financial assistance and County pins for Cape Bretoners participating in the Nova Scotia Seniors Games in Yarmouth.

Ms. Johnston is to be provided with County pins.

9. Letter from the Canadian Wildlife Service regarding changes in the migratory bird hunting regulations being considered for implementation in 2010 and providing an opportunity to comment on the proposal.

ADJOURN

There being no further business, on motion of Councillor MacLellan, seconded by Councillor Dauphinee, the meeting adjourned at 7:45 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO