

VICTORIA COUNTY MUNICIPAL COUNCIL
October 3, 2005

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, October 3, 2005, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Dan E. MacNeil, Deputy Warden
District #2 – Keith MacCuspig
District #3 – Bruce Morrison
District #4 – John Graham MacInnes
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

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

COUNCIL DECISION – PUBLIC HEARING PLANNING ISSUES

Jason Lee Application

It was moved by Councillor MacInnes, seconded by Councillor Patterson, that the Rural Cape Breton District Planning Commission's staff recommendation for approval of the Jason Lee application be accepted.

No Council Members voted to favour of the motion.

Those voting against the motion were Councillors MacCuspig, Morrison, MacInnes, Patterson, Barron, MacLellan, Deputy Warden MacNeil and Warden Budge.

Motion was defeated.

Dan Morrison Application

It was moved by Councillor MacInnes, seconded by Councillor Morrison, that the Rural Cape Breton District Planning Commission's staff recommendation for inclusion of Dan Frank and Paddy Morrison's property on the Appendix "A" list of properties without frontage be accepted. Motion carried.

SEPTIC TANK PUMPING PILOT PROGRAM UPDATE

Courtesy of Council was extended to Robert Anderson, Planning and Development Officer, Department of the Environment, who was in attendance to present an update on the Septic Tank Pumping Pilot Project.

To date, there are approximately 170 registered to participate in the program. Sixty-eight (68) tanks have been pumped to date, with the average tank volume being 3859 L (850 gallons).

Mr. Anderson also provided statistics on the amount of sludge disposed of at the Baddeck Landfill and the dewatered sludge and dewatered content (copy attached). The total budget costs to date for the pumping of the 68 tanks is \$13,600 – homeowners share of \$6,800.00, and municipal and provincial shares of \$3,400.00 each.

The results of the homeowner evaluation forms were presented to Council. Of the 68 homes serviced to date, 46 completed the evaluation survey. (copy attached)

Discussion took place on a compost study. Both the Bras d'Or Lakes Stewardship Society and Pitu'paq Committee have mentioned this action. Part of the project will be completing such a study.

The development of a Steering Committee to guide the program to completion was discussed.

It was moved by Councillor Barron, seconded by Councillor MacCuspic, that the appointment of a Steering Committee be referred to the Public Works Committee. Motion carried.

After further discussion, a vote of thanks was extended to Robert Anderson for his update.

TENDERING POLICY AND PROCEDURES

Courtesy of Council was extended to Lindsay McDonald, Pickup MacDowell, who was in attendance to provide Council with information on the tendering process in general.

Ms. MacDonald indicated that although there is no obligation to tender, public policy indicated that there is an obligation to use the tendering policy to get the best price for goods and services. The agreement on Internal Trade ensures that significant contracts for goods and services are publicly tendered and opened in a public form.

Each time a tender is issued, there is a need to be careful to meet certain standards – clear notice on bidding, clear notice on bidding criteria, etc. This is crucial for any disputes that should arise later on.

Ms. MacDonald indicated that a clause could be inserted in a tender indicating that the lowest or any tender may not necessarily be accepted, however, in awarding tenders, if anything but the low tender is accepted, there should be sound business reasons for doing so. If an objective assessment is completed and sound reasoning is used, then a tender other than the lowest may be accepted. If the low tender meets all the requirements, then there is no alternative but to accept the low tender.

Further discussion took place on tendering and Ms. MacDonald answered various questions of Council. Ms. MacDonald indicated that municipalities have to be very cautious and every decision should be considered carefully.

Ms. MacDonald was extended a vote of thanks for the information provided.

APPROVAL OF MINUTES

The minutes of the September 12, 2005, session of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacInnes, seconded by Councillor MacLellan, that the September 12, 2005, Victoria County Municipal Council minutes be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Dog Controller Position

Sandy Hudson advised that he met with the Union regarding the Dog Controller position and he provided a copy of the letter received from the Union in this regard.

Council expressed an interest in exploring the possibility of two part-time positions – one in the northern area and one in the southern area of the County.

Sandy Hudson will work on a job description for the positions and do the necessary groundwork for negotiation with the Union.

COFFEE BREAK

The Warden announced that Council would recess for 5 minutes.

SILVER DART CENTENNIAL COMMITTEE

The 100th Anniversary of the Silver Dart flight will take place in 2009 and the Silver Dart Centennial Committee has been established to coordinate the events.

A meeting was held recently with Mark Eyking and he indicated that there is an opportunity to have a lasting legacy from this event, such as a cultural centre for the Baddeck area, and he felt that Council should be a driving force in this project.

Councillor Bruce Morrison is Council's representative on the Silver Dart Centennial Committee and he indicated that the next committee meeting is scheduled for October 23, 2005. Councillor Morrison indicated that Gerard MacPhee, ECBC, was contacted and requested to send forms to the Committee to submit their written proposal, but to date, the forms have not been received. He will contact Mr. MacPhee this week in this regard.

The possibility of working in conjunction with Parks Canada on this project was discussed. It was suggested that a meeting should be coordinated and representatives from ECBC, Mark Eyking and Carol Whitfield from Parks Canada be invited to attend to discuss this project.

2008 is the 100th anniversary of the Village of Baddeck and the possibility of building on both anniversaries to come up with a permanent legacy was discussed. It was felt there should be more involvement from the Village and County and more representation on the Centennial Committee.

Bruce Morrison will report after the October 23, 2005, Silver Dart Centennial Committee meeting.

VILLAGE SHARE – GAS TAX FUNDING

Sandy Hudson advised that the Prime Minister recently announced the Gas Tax funding and Victoria County's share of the funding is \$1.179 million over a 5-year period.

The Province has stated that the 22 villages within the province are legal entities that must be recognized and he indicated that the municipal units must treat the Villages fairly.

The Village of Baddeck is one of these villages and Sandy Hudson advised that he met with Village representatives to discuss this matter. He outlined the formula on which the funding is based and discussed the results of his meeting with the Village.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that the Municipality agree to provide 15% of the municipal share of the Gas Tax funding to the Village of Baddeck. Motion carried.

SOLID WASTE COLLECTION UPDATE

Sandy Hudson provided Council members with an information package on solid waste collection. Council members indicated that they would like time to review the information and felt the matter should be referred to the Public Works Committee.

It was moved by Councillor MacCuspig, seconded by Councillor MacLellan, that the solid waste collection issue be referred to the Public Works Committee meeting on Wednesday, October 12, 2005, at 5:00 p.m. Motion carried.

NEW BUSINESS

Councillor MacInnes introduced Ronald Kaplan to Council. Mr. Kaplan was in attendance concerning Council's advertisement in his latest *Cape Breton Catalog*, which promotes Cape Breton writers and Cape Breton products.

Mr. Kaplan thanked Council for past support and requested they give consideration to advertising in this year's catalog. The cost is \$1,500.00.

It was moved by Councillor Barron, seconded by Councillor MacNeil, that the Municipality approve the \$1,500.00 advertisement in the *Cape Breton Catalog*. Motion carried.

DISTRICT CONCERNS

District #2

Councillor MacCuspig indicated that he contacted NSP regarding the relocation of a streetlight in his district.

District #1

It was moved by Councillor MacNeil, seconded by Councillor MacInnes, that \$2,224.00 be approved from the District #1 Budget for the Little Narrows Community Development Association to assist with the cost of summer students and the purchase of a computer. Motion carried.

District #6

It was moved by Councillor Barron, seconded by Councillor MacInnes, that \$2,000 be approved for the Smokey Recreational Society from the District #6 budget. Motion carried.

District #8 and #6

It was moved by Councillor MacLellan, seconded by Councillor Morrison, that \$500 be approved from the District #8 budget and \$200 from the District #6 budget for the Community Learning Association North of Smokey (CLANS). Motion carried.

District #7

Warden Budge indicated that rocks are required at the cell tower in Neil's Harbour. Sandy Hudson is to check to see who owns the property.

IN CAMERA

It was moved by Councillor Morrison, to move to an In Camera meeting.