

# VICTORIA COUNTY MUNICIPAL COUNCIL

October 18, 1999

A meeting of Victoria County Municipal Council was held at the Ross Ferry Community Hall, Ross Ferry, on Monday, October 18, 1999, beginning at 6:00 p.m.

Present were:

- District #1 - Gerald Yetman (Late Arrival)
- District #2 - Shane Toms
- District #3 - Bruce Morrison
- District #4 - John Graham MacInnes, Warden
- District #5 - Gerald Sampson, Deputy Warden
- District #6 - Lawrence Barron
- District #7 - David Donovan (Late Arrival)
- District #8 - Robert MacLellan (Late Arrival)

Also present were:

- Brian Trask, CAO
- Heather MacLean, Recording Secretary
- 20+ interested citizens

## CALL TO ORDER/WELCOME

Warden MacInnes called the meeting to order and welcomed the public in attendance. He expressed Council's pleasure on being in Ross Ferry.

## APPROVAL OF AGENDA

The agenda was presented for approval. Deputy Warden Sampson indicated he wished to add a short verbal presentation on business he conducted during his vacation and Councillor Morrison indicated he wished to table reports from the Planning Advisory Committee. Both these items will be brought forward under district concerns.

It was moved by Deputy Warden Sampson, seconded by Councillor Morrison, that the agenda be approved with the noted additions. Motion carried.

## MINUTES

The following minutes were presented for approval:

Victoria County Municipal Council - August 23, 1999  
Environmental/Solid Waste Committee - August 24, 1999  
Committee of the Whole - September 13, 1999  
Environmental/Solid Waste Committee - September 27, 1999  
Committee of the Whole - October 4, 1999  
Environmental/Solid Waste Committee - October 6, 1999

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that the minutes be approved as presented. Motion carried.

## CORRESPONDENCE

1. Letter from Marilyn Pike, Emergency Health Services, Department of Health, advising that the "helipad" for Neil's Harbour is not a priority as they have limited dollars available.
2. Correspondence from the Department of Transportation and Public Works concerning the following:
  - ? Approving road name "Black Rock Light" for Road 6012, Black Rock, Big Bras d'Or
  - ? Approving change in road name from MacCharles Cross to "Rear North Gut Road", St. Ann's
  - ? Brush cutting in Middle River and Big Baddeck to be included in this year's program
  - ? Guardrail installation on Big Baddeck Road is to be completed by September 15, 1999
  - ? Request for a 60 km/hr speed limit on the Black Rock Road was forwarded to Rob Sweet, District Traffic Supervisor, for investigation
  - ? After investigation, the speed limit on the Black Rock Road will remain at 80 km/hr
  - ? "Hidden Driveway Sign" not warranted at Walter Ivany's property, Old Margaree Road
  - ? "School Bus Stop" signs are the responsibility of the Cape Breton-Victoria District School Board and this request should be initiated through them
  - ? The culvert at Ray Mossman's property requires gravel and a work order has been issued for same
  - ? Culvert at Thomas Nicholas's property in Little Narrows is not needed for highway purposes, therefore, the responsibility for the installation of a culvert will be that of Mr. Nicholas.
  - ? No plans to equip a second bush cutter for Victoria County

- ? Asphalt patching of the White Point Road was scheduled for the week of September 13, 1999
- ? The sign indicating "North Ingonish" has been removed and a new sign for "Ingonish" has been order
- ? Some roads North of Smokey require a second grading and the grader is scheduled for the week of September 6, 1999

? Brush cutter work in the St. Ann's/North Gut area will depend on the funding available  
? Letter from Bruce Fitzner concerning the Exit 7 intersection at Nyanza advising that the accident rates at this location are well below the provincial average and that the current speed zone is the correct one for the conditions along the highway. However, as this is not acceptable to Council he will review the current policy with the Provincial Traffic Authority to ensure that this request has been fully explored.

3. Letter from the Honourable Michael Baker, Minister of Justice and Attorney General, advising that a recent study of court house facilities in the province recommended that the existing court house facility in Baddeck be upgraded rather than a new facility being established. At this time, there is no funding available for any upgrading.

4. Letter from the Honourable Gordon Balsler, Minister of Transportation and Public Works, advising that his department is not seeking any changes to the current lease arrangements for Justice or Community Services in the County of Victoria.

DEBBIE HENDRICKSON, ACAP

Courtesy of Council was extended to Debbie Hendriksen, Atlantic Coastal Action Program (ACAP).

Ms. Hendriksen thanked Council for allowing her the time to appear. She indicated that ACAP are the regional education partner for the Resource Recovery Fund Board Inc.

The Solid Waste Resource Management Strategy introduced by the Department of the Environment in 1996 set a target of 50% waste reduction in Nova Scotia by 2000. At this point there is approximately 35% waste reduction and with new recycling programs coming on stream, it is hoped that the 50% reduction will be met by January 1, 2000.

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Ms. Hendriksen advised that ACAP has been traveling to schools and meetings such as tonight's to educate the public about recycling opportunities, and, the legislation affecting the way we deal with solid waste in our homes, businesses and workplaces.

The materials banned from the landfills at present include:

Plastic, Tetra Pak, Gable Top, Glass, Steel and Aluminum Beverage Containers  
Newsprint  
Glass Bottles  
Residential Corrugated Cardboard  
#2 plastics

Tires  
Lead Acid Batteries

Ms. Hendriksen explained the refund system for beverage containers, as well as programs and businesses that are being developed to deal with these recyclable materials. She distributed recycled materials to the public to view and explained their uses.

Victoria County is encouraging backyard composting and has units for sale at the cost of \$30.00.

Ms. Hendriksen answered various questions pertaining to recycling.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that Debbie Hendriksen be extended a vote of thanks for her presentation. Motion carried.

**BREAK**

The Warden announced that Council would recess for 15 minutes.

**EMO PRESENTATION**

Courtesy of Council was extended to Gary Collins, Emergency Measures Coordinator for Victoria County.

Mr. Collins indicated that on May 5, 1999, he was given the mandate to develop and prepare an emergency measures plan for Victoria County. He indicated his attendance at tonight's meeting was to present the plan to the Municipality.

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The County must now review the plan and if acceptable, approve the plan. After approval it will be distributed to the proper authorities. The implementation and maintenance of the plan is something that is ongoing.

It was moved by Councillor Yetman, seconded by Councillor Morrison, that this Emergency Measures Plan be received and referred to the Emergency Measures Committee for review. Motion carried.

Councillors and volunteers from throughout the County will be attending a Basic Emergency Preparedness Course on October 26-28, 1999, at the Gaelic College. Warden MacInnes acknowledged Winston Musgrave, Zone Controller, Emergency Measures Organization, who was in the audience. Mr. Musgrave has requested time on a future Council agenda to make a lengthy presentation on emergency measures. This date will be set in the near future.

Gary Collins submitted a proposal for the continuing as EMC and maintaining the plan.

It was moved by Deputy Warden Sampson, seconded by Councillor Donovan, that Mr. Collins' proposal be submitted to the Emergency Measures Committee. Motion carried.

Mr. Collins was excused at this time.

#### CIVIC ADDRESS (911) BY-LAW

Brian Trask then presented the Civic Address/Emergency 911 By-Law to Council. Discussion took place.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that Council approve the first reading of the Civic Address/Emergency 911 By-Law. Motion carried.

#### TAX EXEMPTION BY-LAW

Brian Trask presented the By-Law Respecting Tax Exemption for Fire Companies, Charitable and Non-Profit Organizations to Council for renewal. He outlined the list of properties included under this by-law.

It was moved by Councillor Yetman, seconded by Councillor Barron, that the Tax Exemption By-Law be approved. Motion carried.

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#### CBRM/VICTORIA COUNTY BOUNDARY LINE

The Nova Scotia Utility and Review Board have made their decision with respect to the boundary between the Cape Breton Regional Municipality and the County of Victoria. The decision, dated September 16, 1999, has determined that the boundary between the two municipalities shall be the Jackson line (a written description of which is included). The Board has also directed the Department of Housing and Municipal Affairs to survey and establish the line and provide the Board with a map and a metes and bounds description of the line.

A question was raised on the cost the Municipality has incurred as a result of the boundary issue. Brian Trask estimated the cost to be between \$15,000 and \$17,000.

It was moved by Councillor Yetman, seconded by Councillor MacLellan, that the Nova Scotia Utility and Review Board decision with regard to the boundary line between the CBRM and Victoria County be

accepted. Motion carried.

## COMMUNITY ECONOMIC DEVELOPMENT UPDATE

Councillor Yetman updated the Council on the Victoria County Economic Development Committee. He explained the makeup of the Committee.

The Committee is proceeding to have a strategic plan developed for Victoria County. \$25,000 has been approved by ECBC, \$10,000 through the RDA's SPIF Fund and the County has allocated \$15,000.

The Committee has decided to hold public meetings in 9 communities in Victoria County. Councillors are requested to provide the best time and location for these meetings in their areas. The possibility of hiring a facilitator to attend all these meetings is being considered. The participation of the communities is a very important aspect of this process. The strategic plan will be a community plan and it is imperative that the public get involved. Discussion took place.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that the report of the Victoria County Community Economic Development Committee be adopted. Motion carried.

It was moved by Councillor Yetman, seconded by Councillor Morrison, that Victoria County Municipal Council request Human

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Resources Development Canada (HRDC), North Sydney Office, to establish an HRDC Office in Baddeck. Motion carried.

## RESOLUTION - COAL INDUSTRY

Councillor Gerald Yetman presented a resolution pertaining to the Coal Industry in Cape Breton. (copy attached)

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that this resolution be adopted and copies forwarded to Prime Minister Jean Chretien, Honourable Ralph Goodale and Honourable Bernie Boudreau. Motion carried.

## SOLID WASTE UPDATE

Brian Trask read a letter received from the Honourable Ronald Russell, Minister of the Environment, concerning the disposal of construction and demolition debris from Buchanan Memorial Hospital and

the Ingonish Junior High School. He indicated in the letter that if the Municipality wishes to locate a solid waste facility in the northern area of the County then an application for such a facility should be submitted to the Department. Lawrence MacDonald, Regional Manager, Eastern Regional, will contact the municipality in this regard.

The concrete work has been completed at the Baddeck Landfill and a decision is required on the extension to the building.

A site inspection was conducted on the Cape North Transfer Station and the site was found to be in an unsatisfactory condition.

A meeting of the Environmental/Solid Waste Committee will be held to deal with these issues in the near future.

## DISTRICT CONCERNS

### District #8

Councillor MacLellan questioned on the tenders for the haulage of solid waste from Cape North to Baddeck. The tenders are being accepted until 2:00 p.m. on Friday, October 22, 1999.

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A public tender opening will be held at 2:00 p.m. on Friday, October 22, 1999. The Environmental/Solid Waste Committee will meet at that time to open the tenders.

### District #1

Councillor Yetman presented a resolution to Federation of Canadian Municipalities regarding rural infrastructure for presentation to the December, 1999, Board meeting. (copy attached)

It was moved by Councillor Yetman, seconded by Councillor Donovan, that the resolution be adopted and forwarded to the proper authorities. Motion carried.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that a letter be forwarded to Bruce Fitzner, Department of Transportation and Public Works, requesting that the culvert paid for by Thomas Nicholas for his property at Little Narrows be installed immediately. Motion carried.

It was moved by Councillor Yetman, seconded by Councillor Barron, that a letter be forwarded to Bruce Fitzner, Department of Transportation and Public Works, requesting that additional speed limit signs be located in the area between Little Narrows and Iona. Motion carried.

#### District #5

Deputy Warden Sampson presented a report on business he conducted during his recent vacation. He will present information he has received to Ski Cape Smokey and community rinks, and they can further investigate this information as a possible source of revenue.

Deputy Warden Sampson also addressed by City Council of the City of Windsor, Ontario, and brought greetings from Victoria County.

Deputy Warden Sampson indicated that he had reason to contact Access Nova Scotia on a few occasions over the last week and was disheartened that all calls go through the Halifax Office.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that a letter be forwarded to Human Resources expressing Council's concern that incoming calls to Access Nova Scotia's Cape Breton Office are

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answered in Halifax and not in Cape Breton where they should be. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Donovan, that a letter be forwarded to the Department of Transportation requesting that a "hidden driveway" sign be located between Civic Address 4278 and 4280 on the New Harris Forks Road. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Barron, that the petition requesting the "New Harris Forks Road" be renamed the "Stewart Road" be approved and forwarded to the proper authorities. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor MacLellan, that a letter be forwarded to Nova Scotia Power Inc. requesting information on their policy regarding the repair of street lights in Victoria County. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that Council recognize the passing of Hector MacKenzie, a resident of the Ross Ferry community, and extend condolences to his family and the community. Motion carried.

Deputy Warden Sampson presented a cheque to Fraser Patterson, Ross Ferry Volunteer Fire Department, for \$200 to assist with the recent pork chop barbecue.

## District #6

It was moved by Councillor Barron, seconded by Councillor Yetman, that \$800 be approved for the District #6 budget for the Ingonish Beach Volunteer Fire Department. Motion carried.

Councillor Barron presented a petition from residents of Private Road 6013(P) requesting that their road be named "Storm Drum Lane".

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that the petition for the name "Storm Drum Lane" for Private Road 6013(P) be approved and forwarded to the proper authorities. Motion carried.

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It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that a letter be forwarded to the Cape Breton-Victoria District School Board requesting that they investigate whether chipboard, which is being used in the new school in Ingonish, falls within the Building Code and if not, it be replaced with plywood. Motion carried.

It was moved by Councillor Barron, seconded by Councillor Donovan, that a letter be forwarded to the Department of Transportation and Public Works requesting that a Registry of Motor Vehicles Office be set up in the Ingonish Beach area to service the residents of North of Smokey. Motion carried.

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that a letter be forwarded to the Department of Transportation and Public Works requesting that the section of highway between Ski Cape Smokey and the National Park boundary be placed on the list as a top priority for paving in next spring's budget. Motion carried.

## District #3

It was moved by Councillor Morrison, seconded by Councillor Yetman, that a letter be forwarded to Selma Rudderham, ECBC, requesting that ACOA provide funding to service development projects. Motion carried.

Information was received from John Bain regarding planning matters. He requested that Council set a date for a public hearing to deal with the issues. Staff reports were provided on the issues.

It was moved by Councillor Morrison, seconded by Deputy Warden Sampson, that the staff recommendations be approved and Council set the date for the public hearing as November 15, 1999 or

November 22, 1999, whichever meets the advertising requirements. Motion carried.

## District #2

It was moved by Councillor Toms, seconded by Councillor Yetman, that \$800 be approved for the Middle River Volunteer Fire Department from the District #2 budget. Motion carried.

It was moved by Councillor Toms, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation and Public

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Works requesting that the remainder of the Big Baddeck Road be repaved in the spring. Motion carried.

## District #4

Warden MacInnes read a Veteran's Week proclamation to Council.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that November 5-11, 1999, be proclaimed Veteran's Week in Victoria County. Motion carried.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that a letter be forwarded to the Department of Transportation and Public Works requesting that for the safety of the residents and public traveling through the St. Ann's/North Gut area, brush cutting be a top priority for next spring. Motion carried.

Warden MacInnes brought up the matter of recognition for Home Care Employees. These employees recently became employees of the Victoria County Homemakers Society and are no longer municipal employees. Warden MacInnes and Deputy Warden Sampson will investigate this matter.

Discussion took place on appropriate celebrations for the Millennium. Warden MacInnes and Deputy Warden Sampson will bring a report to the next meeting.

## RESOLUTION - TOWN OF PORT HAWKESBURY

A resolution passed by the Town of Port Hawkesbury regarding revenue tax sharing was received. The Mayor will be presenting this resolution at the Annual UNSM Conference.

## OUTREACH WORKER

The Outreach Worker remains displeased with her present office situation and has requested Council to

consider entering a 3 month lease with John Pino for office space in his building.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that until the status of the permanent employer of the Outreach Position is known, the office remain at its present location. Motion carried.

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District #7

Councillor Donovan advised that the principals of the new schools being built in the northern area have received memos from the School Board advising that all materials are property of the School Board. The local Home & Schools Associations have purchased computers and equipment for the present schools and want these materials to remain.

It was moved by Councillor Donovan, seconded by Deputy Warden Sampson, that a letter be written to the Cape Breton-Victoria District School Board requesting that the computers and equipment purchased by the parents' groups remain in the North of Smokey area. Motion carried.

Warden MacInnes and Councillor Barron declared a conflict and did not vote on the motion as they are employees of the Cape Breton-Victoria District School Board.

It was moved by Councillor Donovan, seconded by Councillor Yetman, that Victoria County support observing a two minute silence on Remembrance Day 1999, instead of the 1 minute observed other years. Motion carried.

## PUBLIC COMMENTS

The floor was then opened to the public in attendance.

Discussion took place on the Civic Address (911) By-Law and whether there was room for amendments to same. The first reading was given and it was indicated that amendments are possible.

Keith Bain, School Board Representative, advised he would bring forward the concerns addressed regarding the School Board and report back on his findings to Brian Trask.

The fact that the road to Ross Ferry is known as the Kempt Head Road creates confusion and the public felt it would be better if this road was known as the Ross Ferry Road.

John Hugh Edwards thanked Deputy Warden Sampson for his efforts in providing a certificate and

appropriate recognition to the family when the Ross Ferry Volunteer Fire Department recently dedicated a new fire truck in memory of one of their founding members, the late Charles MacPhail.

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Alton Jardine brought up the matter of street lights and the action Council has taken regarding the repair policy for same. Street lights are security, especially for senior citizens.

Catherine Ann Fuller indicated that today is the 70th Anniversary of Women being declared as persons.

It was moved by Deputy Warden Sampson, seconded by Councillor Donovan, that Council recognizing today as the 70th Anniversary of women being declared as persons. Motion carried.

Albert VanDommelen advised that there were two sites on Southside Boularderie where guardrail is required. These sites are adjacent to brooks and there is a significant drop off at both locations. Deputy Warden Sampson indicated that the Department of Transportation will be requested to investigate these sites for possible installation of guardrail.

A drop off along the side of the road at the head of Boularderie was discussed. Deputy Warden Sampson advised that he would contact Steve MacDonald, Department of Transportation, to take a look at this site. Bill Richards indicated that a letter was forwarded to Charles MacDonald in this regard. He indicated it would be repaired prior to frost, however, to date it has not been repaired.

Gary Collins advised of a recent major military exercise which took place in Victoria County. He brought forward thanks expressed by the military for the cooperation received from the residents of Victoria County during these exercises.

Warden MacInnes advised that certificates were presented to Bonnie Thornhill and Jim MacDonald on the launching of the new Victoria County Veterans Book. Councillor Yetman represented Council at this event.

Deputy Warden Sampson questioned whether anyone attending the seminar on the Bras d'Or Lakes held at the Gaelic College last weekend. Warden MacInnes indicated he was in attendance.

Catherine Ann Fuller advised that a workshop regarding the Bras d'Or Lakes will be held at the Coast Guard College, Point Edward, on October 22,23 and 24, 1999.

ADJOURN

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The public were extended a vote of thanks for attending tonight's meeting.

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that the meeting be adjourned.

John Graham MacInnes, Warden

Brian E. Trask, CAO