

VICTORIA COUNTY MUNICIPAL COUNCIL
October 19, 2009

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, October 19, 2009, beginning at 5:20 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #1 – Paul MacNeil
District #2 – Keith MacCuspic
District #3 – Bruce Morrison, Warden
District #4 – Merrill MacInnis
District #5 – Fraser Patterson, Deputy Warden
District #6 – Larry Dauphinee
District #7 – David Donovan
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Morrison called the meeting to order.

MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW

A public hearing on the proposed Municipal Planning Strategy and Land Use By-Law for the Baddeck Planning Area was held prior to Council.

It was moved by Councillor MacCuspic, seconded by Councillor Donovan, that the Municipal Planning Strategy and Land Use By-Law for the Baddeck Planning Area be approved with the amendments as discussed at the Public Hearing. Motion carried.

APPROVAL OF AGENDA

The agenda was presented for approval.

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

DANGEROUS AND UNSIGHTLY PREMISES – DEMOLITION ORDER

The property located at 62 Maplewood Drive, Ingonish, owned by Joyce MacKinnon was posted as in a dangerous and unsightly condition contrary to Section 344 of the *Municipal Government Act*. Council will consider the recommendation of the Administrator of the Dangerous and Unsightly Premises to issue a demolition order.

The building sustained significant fire damage and is open and accessible and easily visible from the road and neighbouring dwellings. The building's structural stability has been compromised, with no roof remaining on the structure and the floor and walls severely fire damaged.

Warden Morrison questioned if anyone was in attendance representing the property owner. There was no representative in attendance.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that Council approve the demolition order for the MacKinnon property at 62 Maplewood Drive, Ingonish, and the cost of the demolition be charged to the property owner's tax account. Motion carried.

Quotes on demolition will be received from local contractors and the demolition will be done through the Director of Public Works.

RCMP UPDATE

Courtesy of Council was extended to Staff Sgt. Archie Thompson. Staff Sgt. Thompson presented Council with an update on policing in Victoria County.

Staff Sgt. Thompson addressed a situation that occurred in the Ingonish Beach area today, where a man barricaded himself inside a residence. The situation was resolved and the individual was taken into custody.

Staff Sgt. Thompson indicated that he reviewed the Annual Performance Plan which showed him areas to focus on for the current year. More effort is being placed on impaired driving, break and enters and increasing intelligence.

The efforts being put forth in Wagmatcook First Nation were outlined and Staff Sgt. Thompson indicated that good things are happening as a result. The RCMP contract to provide services to Wagmatcook expires on April 1, 2010, and proposals are being entertained from both the Cape Breton Regional Police Service and the RCMP to provide service to Wagmatcook. Council will be notified when a decision is made.

One of the members in the Victoria County District is designated a School Resource Member and Staff Sgt. Thompson indicated he would like to see this position become a street crime position. He has assigned members to each school in Victoria

County so there is an ongoing liaison with all schools. He felt that the position could be more beneficial in addressing street crime.

It was indicated that Council would like to talk to schools to get their opinion on this matter before making a decision. This matter is to be included on the next Council agenda.

There is now a full complement of members in the Victoria County Policing District. Discussion took place on the proposed federal building that was to have been built in Ingonish Beach. The project did not happen and now the RCMP are contemplating building a new detachment building. Staff Sgt. Thompson indicated he would keep Council advised on the status of the building and the location.

Councillor Donovan expressed concern on the increase in vandalism in the Neil's Harbour area and requested that the RCMP drive through this area on a regular basis to increase their visibility in the area.

Councillor MacLellan expressed concern on the break and enters and fires that have occurred in his district recently and Staff Sgt. Thompson indicated resources will be placed in this district during the Halloween period.

There is a new corporal in the Ingonish Beach Detachment, Corporal Christal Ellis. She will be meeting with area Councillors in the near future.

Councillor MacInnis questioned on the auxiliary member program and Staff Sgt. Thompson indicated that there is a limit to how involved auxiliary members can be. They are not permitted to go on even minor calls with members.

Councillor MacInnis expressed appreciation to the members who come to the Remembrance Day ceremonies in his district each year and looked forward to representation again this year.

Councillor MacCuspig questioned on two black, unmarked vehicles with flashing lights he met on the road today and he was advised that they were the ERT (Emergency Response Team) who attended the situation in Ingonish Beach.

Councillor MacNeil outlined the concerns he had in his district, including the problems at the seniors' complex and reckless driving in the Iona area. Staff Sgt. Thompson indicated that a possible remedy for the reckless driving problem would be to have a member who lives in Eskasoni take a police car home with him at night to increase visibility in the area.

Sandy Hudson questioned on what effect would be felt in the Baddeck Detachment if the RCMP lost the contract to provide services to Wagmatcook. Staff Sgt. Thompson indicated that the RCMP would still have an obligation to provide support and he would raise the issue with his superiors to ensure that the service in the Baddeck Detachment would not be diluted.

Staff Sgt. Thompson indicated that the members within Victoria County have a busy workload, compared to the provincial average numbers.

Staff Sgt. Thompson indicated that he anticipates that a resolution to the policing issue in Wagmatcook will take place in a timely manner and he will keep Council advised.

Warden Morrison extended a vote of thanks to Staff Sgt. Thompson for his report.

APPROVAL OF MINUTES – SEPTEMBER 21, 2009

The minutes of the September 21, 2009, session of Victoria County Municipal Council were presented for approval.

It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that the Victoria County Municipal Council minutes of September 21, 2009, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Cape Breton Regional Hospital Foundation

Warden Morrison indicated he attended a function recently hosted by the Cape Breton Regional Hospital Foundation where the County's donation to the "Cape Breton Cares Campaign" was acknowledged.

Scholarship

Deputy Warden Patterson brought up the idea of instituting a scholarship in memory of the late John Graham MacInnes. Sandy Hudson will review the *Municipal Government Act* to determine if this action is possible.

SPCA

Sandy Hudson met with the Board of Directors of the SPCA and Patsy Rose, SPCA Manager. He explained the County's problems with regard to dogs and the SPCA have agreed to take whatever dogs we send to them for a fee of \$800 per month.

Our Animal Control Officers will be required to hold the dog for a period of 72 hours and attempt to determine ownership before taking them to the SPCA.

It was felt this would be a successful way to handle the dog control situation. The local vet clinic does not have the facilities to house dogs for the long term and this will alleviate the problems that have occurred as a result of taking apprehended dogs to the clinic.

It was indicated that the public should be made aware that our animal control is not a service for putting down animals that are sick or no longer wanted. The oweness is on the owners to look after their dogs.

Animals apprehended that have County identification tags will be notified when a dog is apprehended.

Further discussion took place.

It was moved by Councillor MacLellan, seconded by Councillor Donovan, that the Municipality enter into an agreement with the Cape Breton SPCA to accept dogs apprehended by Victoria County Animal Control Officers after a 72 hour period at a cost of \$800.00 per month. Motion carried.

Sandy Hudson will contact the SPCA in this regard.

Corson's Bridge

A reply has not been received from the Department of Transportation and Infrastructure Renewal regarding Corson's Bridge.

Cape Breton Highlands National Park

Helene Robichaud, Superintendent, Cape Breton Highlands National Park, will be coming to Council's November session.

Cape Breton Catalog

The advertisement in the Cape Breton Catalog was approved and the new logo is to be included in the ad.

ICSP

Sandy Hudson indicated that he has received no comments from Councillors on the ICSP (Integrated Community Sustainability Plan).

Councillor MacNeil mentioned child care as a topic for inclusion in the Plan and he will provide additional information to Sandy Hudson to be forwarded on to Stantec. Sandy Hudson advised that he provided Osborne Burke's name to Kristen Morse for information on the fishery.

NEW BUSINESS

SOLID WASTE COLLECTION EQUIPMENT

Sandy Hudson advised that three tenders were received for solid waste collection equipment.

- Silver's Garage Limited, Bridgewater \$204,532.92 per unit
- East Cost International Trucks, Dartmouth \$222,851.00 per unit
- Saunder's Equipment Limited, Fredericton \$224,150.00 per unit

Three trucks are required. All three bidders met the requirements and the low bid is recommended for acceptance. Delivery is anticipated by mid-March, 2010.

It was moved by Councillor MacCuspig, seconded by Councillor MacLellan, that the low tender, Silver's Garage Limited, in the amount of \$204,532.92 per unit be accepted. Motion carried.

The one ton vehicle required for solid waste collection was discussed and this unit will be purchased locally.

EXCUSED

Warden Morrison was excused from the meeting as he had to travel to Halifax this evening for work purposes.

Deputy Warden Patterson assumed the Chair.

NEIL'S HARBOUR BREAKWATER

A request was received from the Department of Fisheries and Oceans to obtain County owned property on the western side of the Neil's Harbour Wharf at the bottom of Oceanview Drive to allow for the development of a breakwater.

Discussion took place on this matter.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that the Municipality provide the land to the Federal Department of Fisheries and

Oceans contingent on them erecting the breakwater at Neil's Harbour. Motion carried.

RANKIN MEMORIAL SCHOOL, IONA

Sandy Hudson met with Ed Davis, Superintendent, Cape Breton-Victoria Regional School Board, concerning the former Rankin Memorial School property at Iona.

In discussions, it was indicated that Victoria County has an option on whether to accept the ownership of the school. There is no interest within the community with regard to the school at present.

It was moved by Councillor MacNeil, seconded by Councillor Dauphinee, that the Municipality decline our option to accept ownership of the former Rankin Memorial School, Iona, from the Cape Breton-Victoria Regional School Board. Motion carried.

CAPE BRETON ISLAND REGIONAL HOUSING AUTHORITY BOARD

A letter was received from the Minister of Community Services indicating that John MacKillop's term on the Cape Breton Island Regional Housing Authority Board expired on July 14, 2009. He has served two consecutive terms and is required to sit out a term before being eligible for re-appointment, unless there is no one else available.

It was moved by Councillor Dauphinee, seconded by Councillor MacCuspie, that an ad be placed in the *Victoria Standard* for an individual to serve as Victoria County's representative on the Cape Breton Island Regional Housing Authority Board. Motion carried.

It was felt that a representative from the Housing Authority should be invited to a future Council meeting. It was indicated that Steve Fraser would be the person to contact and he is to be invited to the December session of Council.

LONG HAUL TRUCKING – SOLID WASTE

The tender for long haul trucking from Dingwall to Baddeck, Baddeck to Dingwall and to Guysborough expires at the end of the year and it was felt that this should be put on tender as soon as possible.

Discussion took place on this matter and possible changes to the tender from the current tender. It was agreed that this tender be advertised within the next two weeks.

NEIL'S HARBOUR/NEW HAVEN WATER SYSTEM

Sandy Hudson advised that the new Drinking Water Strategy requires that water systems meet certain standards and in order to meet standards at the Neil's Harbour/New Haven Water System a dual filtration system is required at a cost of \$500,000.00. This will not solve the water capacity issue, just the treatment issue, and it was questioned whether it would be better to put this money into obtaining an alternate water source for the area.

It was felt it would be better to look for an alternate source of water, as quantity is the most pressing issue in the area. Sandy Hudson will bring this matter to the attention of the Department of the Environment.

FIRE SERVICE

An additional 10% allocation was included in the budget for fire departments and the expenditure of the funds was to be determined in consultation with the Chief Fire Officers Association from their priority list. Councillors Dauphinee and MacCuspic were appointed to serve on the Joint Committee with the Fire Service.

The procedure to be followed for expenditure of the funds was discussed. It has been indicated that at a recent meeting of the Fire Departments a decision was made to purchase 2 sets of high angle rescue equipment and the remaining funds were to be divided among the fire departments for communication equipment.

It was felt that written confirmation of this action should be forwarded to the Chief Administrative Officer for information and approval of Council prior to the funds being disbursed.

Lyle Donovan has stepped down as Chair of the Chief Officers Committee and Greg Organ has assumed to position.

CAPE BRETON CHRISTMAS DADDIES

A request was received from Cape Breton Christmas Daddies for \$1,000.00 from each of the Cape Breton municipalities toward their effort to promote Cape Breton Island.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that \$1,000.00 be approved for Cape Breton Christmas Daddies. Motion carried.

BRAS D'OR LAKE BIOSPHERE RESERVE ASSOCIATION

A letter was received from Teresa MacNeil, Chair of the Bras d'Or Lake Biosphere Reserve Association, requesting a representative from Victoria County to serve on the Board of Directors of the Association.

It was moved by Councillor Donovan, seconded by Councillor MacInnis, that Councillor Paul MacNeil be appointed as the County's representative on the Board of Directors of the Bras d'Or Lake Biosphere Reserve Association. Motion carried.

WATER UTILITY CLERK

Sandy Hudson advised that Erin Bradley, Clerk of the Village, has served as the Water Utility Clerk for the County for some time. Due to workload, she will be assuming full-time duties with the Village of Baddeck in November, 2009, and a replacement will be required.

It was felt that a full-time Water Utility Clerk is required. The individual hired will work out of the Public Works Building at the Baddeck Transfer Station Facility.

It was moved by Councillor MacLellan, seconded by Councillor MacNeil, that the Municipality advertise and hire a full-time Water Utility Clerk for the Municipality. Motion carried.

GORDON MACINTOSH REPORT

The report from the recent workshop with Gordon MacIntosh was received. All in attendance felt this workshop to be a very worthwhile exercise.

Sandy Hudson indicated that Mr. MacIntosh is available in early December to assist with the implementation of an Economic Development Strategy and he questioned if Council felt this would be the best way to proceed.

It was moved by Councillor MacCuspic, seconded by Councillor Dauphinee, that Gordon MacIntosh be scheduled to come to the Municipality in December, 2009, to assist with the development of an Economic Development Strategy for the Municipality. Motion carried.

MINISTER OF SERVICE NOVA SCOTIA AND MUNICIPAL RELATIONS

Discussion took place on the seasonal tax issue. It was felt a meeting should be requested with the Honourable Ramona Jennex, Minister of Service Nova Scotia and Municipal Relations, at her convenience.

The loss of the property mapper position is also a concern that should be discussed with the Minister.

It was moved by Councillor Donovan, seconded by Councillor MacInnis, that a letter be forwarded to Honourable Ramona Jennex, Minister of Service Nova

Scotia and Municipal Relations, requesting that she meet with representatives from Victoria County, at her convenience, to discuss the seasonal tax issue and the property mapper position for Victoria County. Motion carried.

The logistics of who will attend and the location of the meeting will be determined at a later date.

It was felt that the President or Executive Director of the UNSM should be requested to attend this meeting with regard to the seasonal tax issue.

HIGHLAND MANOR

Councillor MacLellan indicated that the Annual Fire Inspection of Highland Manor was completed to determine compliance with the codes and standards enforced by the Office of the Fire Marshal. The inspection revealed poor design and a lack of adequate space for proper activities and storage.

The Office of the Fire Marshal will recommend approval of a license for this year and strongly recommends that Highland Manor continue to work with the Department of Health to secure approval for the required changes and upgrades. If there is no definite plan in place by next year, the Office of the Fire Marshal will not recommend approval for a license to operate the facility.

Discussion took place on how to proceed and it was felt that the Highland Manor Board should forward a letter to Honourable Maureen MacDonald, Minister of Health, requesting a meeting to discuss the Fire Marshal's report and recommendations

Councillor MacLellan indicated that Wayne Budge has resigned from the Highland Manor Board and Bernie Vassallo, who has indicated interest in serving on the Board, is available to serve on the Board. Sandy Hudson advised that the Board can recommend this appointment.

DISTRICT CONCERNS

District #3

Deputy Warden Patterson indicated that Warden Morrison requested that a letter be forwarded to Roy MacDonald, Area Manager, Department of Transportation and Infrastructure Renewal, requesting that the bushwhacker be brought into the area to clean up the area between Exit 9 and Exit 10 on the TCH 105.

District #4

Councillor MacInnis questioned on he relocation of a streetlight in his district. The order was placed, but the work has not been completed.

A follow up will be done with NSPI on this request.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that a letter be forwarded to Bonnie Thornhill congratulating her on her new book – “Road to Englishtown”. Motion carried.

Councillor MacInnis questioned whether the Municipality could have any influence on having more moose licenses available for Cape Bretoners. This was attempted in the past, with no result.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that a letter of thanks be forwarded to the Minister of Transportation and Infrastructure Renewal for the work done on a section of the Cabot Trail this past season and requesting that consideration be given to doing an additional section next year in the North River area. Motion carried.

Councillor MacInnis questioned whether it would be possible for Councillors to join the municipal health plan coverage. Sandy Hudson will check on this matter.

District #2

Councillor MacCuspig questioned whether it would be possible for the Director of Public Works to come up with a policy with regard to derelict vehicles.

It was moved by Councillor MacCuspig, seconded by Councillor MacNeil, that the derelict vehicle issue be referred to the Public Works Committee. Motion carried.

It was moved by Councillor MacCuspig, seconded by Councillor MacLellan, that \$1,500.00 be approved from the District #2 budget for the Middle River United Church. Motion carried.

Councillor MacCuspig requested that the installation of a street light come from his District #2 budget. He will provide the location and other pertinent details to the Administration Office.

Sandy Hudson indicated that the EcoTrust Study recently completed indicates that a review of street light useage and policy should be undertaken.

District #6

Councillor Dauphinee extended a thank you from a lady who recently turned 100 years of age in Maine. She was formerly from Ingonish and a certificate was forwarded to her by the County which was much appreciated.

Councillor Dauphinee questioned on the status of the sign for “Celtic View Manor”, Ingonish. Sandy Hudson indicated he would check on this matter.

Councillor Dauphinee requested that a letter be forwarded to Roy MacDonald, Area Manager, requesting that gravel be placed on the shoulders of the road on Smokey Mountain.

Councillor Dauphinee updated Council on the plans for Ski Cape Smokey for the short and long term. In the short term they hope to operate the poma lift this winter which will enable 30% of the hill to be utilized. It will likely be a weekend operation and the costs to operate are not known at this time.

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that notice of motion be given that at some future time, if required, Council may be approached for assistance with cost of the winter operation of Ski Cape Smokey. Motion carried.

The Recreation Department is to be also contacted in this regard.

In the long term, Councillor Dauphinee indicated that Paul Mahre is back in the picture and working on another business plan for Ski Cape Smokey. Councillor Dauphinee indicated that he feels the facility will be privatized in the future.

District #7

Councillor Donovan indicated that the Annual Meeting of the Cabot Trail Working Association will take place at the MacAulay Conference Centre, Inverary Resort, on October 28 and 29, 2009. The cost is \$35 per person and Councillor Donovan requested the Municipality cover the registration for any Council member wishing to attend.

Councillor Donovan questioned on what could be done with businesses who burn their cardboard, rather than recycle same. This should be brought to the attention of the Department of the Environment.

It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that a letter be forwarded to the Cape Breton-Victoria Regional School Board requesting that the potholes located on Brandon Lane at Cape Smokey Elementary School be repaired immediately. Motion carried.

Councillor Donovan requested that bushwhacking in the area of the White Point Road from New Haven to White Point be included in the letter of request to Roy MacDonald, Area Manager, Department of Transportation and Infrastructure Renewal.

District #8

Councillor MacLellan indicated he would contact Esther Blakeney, Administrator of Highland Manor, to write a letter to the Minister of Health concerning the contents of the letter from the Office of the Fire Marshal.

It was moved by Councillor MacInnis, seconded by Councillor MacLellan, that a letter be forwarded to Lawrence Barron on the publishing of his book on the history of Ingonish. Motion carried.

NEXT MEETING

The next meeting of Victoria County Municipal Council will be held on November 30, 2009. Helen Robichaud, Cape Breton Highlands National Park; Mark Peck, Municipal Advisor, Service Nova Scotia and Municipal Relations; and Staff Sgt. Archie Thompson will be included on the agenda for this meeting.

ADJOURN

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

Bruce Morrison, Warden

Sandy Hudson, CAO

