

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**November 3, 2003**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, November 3, 2003, beginning at 5:30 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Dan E. MacNeil  
District #2 – Shane Toms  
District #3 – Bruce Morrison  
District #4 – John Graham MacInnes, Deputy Warden  
District #5 – Fraser Patterson, Councillor Elect  
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.

**OATH OF ALLEGIANCE AND OF OFFICE**

Sandy Hudson advised that only one candidate was nominated for the position of District #5 Councillor – Fraser Patterson. Mr. Hudson indicated that as per Section 55 of the *Municipal Elections Act* he declared Fraser Patterson elected by acclamation.

CAO Sandy Hudson then administered the Oath of Allegiance and Of Office to Wayne Budge.

*I, Fraser Patterson, do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law.*

*And that I am duly qualified as required by law for the office of Municipal Councillor of the Municipality of the County of Victoria.*

*And that I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.*

*And that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office.*

*Signed: Fraser Patterson*

*Sworn (or affirmed) at Baddeck in the County of Victoria, this 3<sup>rd</sup> day of November, 2003, before me:*

*A. W. (Sandy) Hudson, CAO*

Councillor Patterson then assumed his Chair at the table with his fellow Councillors.

**APPROVAL OF AGENDA/TIME TO ADJOURN**

**It was moved by Deputy Warden MacInnes, seconded by Councillor Toms, that the agenda be approved as presented and the time to adjourn be set at 6:30 p.m. Motion carried.**

**MACKINNON HARBOUR-OTTAWA BROOK WATER COMMITTEE**

Courtesy of Council was extended to Pauline Campbell, spokesperson for the MacKinnon Harbour-Ottawa Brook Water Committee. Mrs. Campbell advised that the goal of the Committee is to find a viable potable water source that provides access to safe drinking water for homes in the coverage area. She then presented a power point presentation to Council with assistance from Rodney Chiasson (copy attached).

The conclusion of the presentation was a two-fold request to Council.

1. Undertake a feasibility study to extend the Little Narrows Water System along Route 223 to 0.5 km east of the Red Point East Road in Jamesville.
2. Apply to the next federal-provincial infrastructure program for the capital monies to undertake the project and commit the County's resources to make this project a reality.

A vote of thanks was extended to Mrs. Campbell and the Water Committee for their presentation.

Councillor MacNeil indicated that he, along with Ed Carey and Sandy Hudson, met with the Water Committee recently and all agreed that the most feasible solution was

to connect to the Little Narrows Water System. There is sufficient water to accommodate this extension.

**It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that Council honour the request of the MacKinnon Harbour-Ottawa Brook Water Committee to complete a formal application to the Canada/Nova Scotia Infrastructure Program and investigate the costs and feasibility of extending the Little Narrows Water System to this area. Motion carried.**

Discussion took place on when the next round of infrastructure funding would be announced. It is rumored that funding in the amount of \$37 million will be announced and that it will be focused on rural infrastructure.

### **MINUTES**

The minutes of the September 29, 2003, Council meeting were presented for approval.

**It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that the minutes of the September 29, 2003, meeting of Victoria County Municipal Council be approved as presented. Motion carried.**

### **BUSINESS ARISING FROM MINUTES**

#### **Radios – Fire Departments**

The matter of radios for fire departments will be investigated.

#### **Bras d'Or Symposium**

Councillor MacNeil advised that he, Warden Budge and Councillor Morrison, attended the three-day Bras d'Or Symposium hosted by the Unama'ki Institute of Natural Resources. He indicated that it was three days well spent and very worthwhile.

**It was moved by Councillor Morrison, seconded by Councillor MacNeil, that a letter be forwarded to Charlie Dennis, Unama'ki Institute of Natural Resources, thanking them for the leadership shown in organizing the Bras d'Or Symposium and congratulating them on a job well done. Motion carried.**

#### **Village Borrowing**

Sandy Hudson advised that the Village have obtained their borrowing and have reimbursed the County \$1 million.

**NEW BUSINESS**

**District #1**

Councillor MacNeil indicated that the Warden received a letter from Charlie Dennis, Unama'ki Institute of Natural Resources, concerning the "Navicula".

**It was moved by Councillor MacNeil, seconded by Councillor Morrison, that a letter be forwarded to the Department of Fisheries and Oceans requesting an extension to allow the "Navicula" to continue its research studies in the Bras d'Or Lakes. Motion carried.**

Councillor MacNeil advised that there is a vacancy on the Alderwood Management Board.

**It was moved by Councillor MacNeil, seconded by Deputy Warden MacInnes, that Councillor Patterson be appointed to serve on the Alderwood Management Board. Motion carried.**

Councillor MacNeil advised that he has attended several different meetings in his district lately and at all meetings the topic of the need for 3-phase power is discussed. He has discussed this matter with Ross MacDonald, Director of Community Economic Development, and he is willing to arrange a meeting of stakeholders to discuss the best way to handle this matter. Ross MacDonald was authorized to coordinate the meeting with all parties.

**District #2**

**It was moved by Councillor Toms, seconded by Councillor Morrison, that a letter be forwarded to Sgt. Mark Furey, Baddeck RCMP, outlining Council's concerns about the traffic problem at Irving/Tim Horton's and requesting they enforce the illegal parking in the posted "No Parking" area along the TCH 105 at these businesses. Motion carried.**

**District #3**

**It was moved by Councillor Morrison, seconded by Councillor Toms, that a letter be forwarded to the Highwheeler Café congratulating them on the award received in the Business Category at the recent Recycling Awards Banquet. Motion carried.**

A letter is to be forwarded to Charlie MacDonald, Department of Transportation and Public Works, thanking the Department for the street paving done in the Village of

Baddeck this year and questioning on their street paving commitments for Baddeck in next year's paving program.

**District #5**

Councillor Patterson reported that he met with a group in New Campbellton and they outlined concerns with regard to roads and emergencies. He indicated that there are plans to develop a local emergency plan to coincide with the County plan.

Councillor Patterson also questioned whether the Boularderie School was wired to accept a generator so this facility could be the Centre for the area in the event of an emergency.

**District #4**

Deputy Warden MacInnes indicated that Ross MacDonald provided an information package on "Between the Land and the Sea". He indicated that 2 of the 7 communities outlined as being in crisis are located in Victoria County – being Dingwall and Wreck Cove.

Deputy Warden MacInnes outlined that he attended the press conference for the release of the "Good governance, a Necessary but not Sufficient Condition for Facilitating Economic Viability in a Peripheral Region: Cape Breton as a Case Study" prepared for the CBRM. One of the topics in the paper is how municipal units on Cape Breton can work together and cooperate to improve the economy. An executive summary of this document was provided to all Council Members.

Deputy Warden MacInnes also brought up the matter of street lighting. Sandy Hudson advised that the cost of street lighting is approximately \$210,000.00. It was felt that some areas of the County are in greater need of streetlights than others and the possibility of developing a criteria for streetlights for the next budget was discussed. An investigation can be done with other municipal units to see if such a criteria is in effect with regard to street lighting.

**District #6**

Discussion took place on the Ingonish Beach Water Project. The infrastructure application has been approved at the provincial level and has been forwarded to the federal level for approval.

Councillor Barron felt that the design study for this project should be completed.

**It was moved by Councillor Barron, seconded by Councillor Patterson, that approval be granted to draft the proposals for a design study for the Ingonish Beach Water Project. Motion carried.**

Councillor Barron indicated that he is presently having 15 derelict vehicles removed from his district, but has more to remove and he questioned whether funding was available to remove the vehicles. Other areas also have vehicles to remove. Sandy Hudson will investigate funding for this request.

Councillor Barron indicated that he recently attend a meeting on Community Development at the Inverary Resort where the provincial presenters received a hostile reception. He felt the municipality should be more involved in this process. Councillor Morrison indicated that the CED Committee met this morning and this topic was also discussed at the meeting. It was felt it would be better for communities to make decision with regard to development, as the present provincial policies are not filtering out to rural areas.

**It was moved by Councillor Barron, seconded by Councillor Morrison, that representatives from the Provincial Community Development Initiative be requested to come and meet with Council to explain their community economic development policies. Motion carried.**

**District #8**

Councillor MacLellan expressed concern with the length of time being experienced to receive service in his area from the Nova Scotia Power Inc.

**It was moved by Councillor MacLellan, seconded by Deputy Warden MacInnes, that a letter be forwarded to NSPI expressing concern over the wait time experienced in the northern area of the County for service. Motion carried.**

**District #7**

Warden Budge suggested that Council invite the Honourable Barry Barnett, Minister of Service Nova Scotia and Municipal Relations, to meet with Council at his earliest convenience.

**It was moved by Deputy Warden MacInnes, seconded by Councillor MacLellan, that Honourable Barry Barnett, Minister of SNSMR, be invited to meet with Council at his convenience. Motion carried.**

Warden Budge also requested that Councillor Fraser Patterson replace him as a member on the Victoria County Tourism Advisory Committee. Tom Wilson will be notified of this appointment.

**CORRESPONDENCE**

1. Members Advisory from FCM regarding FCM Pre-Budget Submission Calls for New Federal-Municipal Fiscal Partnerships.
2. Correspondence from Karen Malcolm, Bras d'Or Designation Coordinator, regarding the Bras d'Or Non-Discharge Designation for Boating Sewage.
3. Thank you from Gordon and Catherine MacKenzie for the Certificate of Recognition received for their 60<sup>th</sup> Wedding Anniversary.
4. Letter from Municipality of the County of Guysborough updating on 2<sup>nd</sup> Generation Landfill Services.
5. Legislature Report from Gerald Sampson, MLA, regarding Sunday Shopping.
6. Letters from both the Rural Cape Breton District Planning Commission and the Department of Transportation and Public Works advising that they have no objections to naming Private Road #6104 (P), Englishtown as "Wilhauson Lane".

**It was moved by Deputy Warden MacInnes, seconded by Councillor Toms, that Council approve the naming of Private Road #6104 (P) as "Wilhauson Lane". Motion carried.**

**INGONISH BARRIER BEACH RESTORATION PROJECT**

Sandy Hudson advised that the Ingonish Barrier Beach Restoration Project has been put out to tender with the deadline for tendering being November 10, 2003, at 4:00 p.m. The project is to be completed by March 31, 2004.

**NEXT COUNCIL**

Council will meet on Monday, December 8, 2003, at 5:30 p.m.

**ADJOURN**

**There being no further business, on motion of Councillor MacNeil, the meeting adjourned to an In Camera meeting.**

