

VICTORIA COUNTY MUNICIPAL COUNCIL

November 22, 1999

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, November 22, 1999, beginning at 6:00 p.m. with Warden John Graham MacInnes in the Chair.

Present were:

District #1 - Gerald Yetman
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
District #8 - Robert MacLellan

Also present were:

Brian Trask, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden MacInnes called the meeting to order.

PUBLIC HEARING MATTERS

Prior to Council, a Public Hearing was held to deal with three planning matters.

It was moved by Deputy Warden Sampson, seconded by Councillor Morrison, that the following be approved:

1. Application by Scott MacAulay, Inverary Inn Resort Limited, to enter into a development agreement to add six units to the Inverary Inn. The additional units would be located on the third floor of "Argyle Lodge". The development agreement also requires the owner to convert some of the existing cabins on the property from double units to single units to relieve concerns about the capacity of the sewer system.
2. Application by the Planning Advisory Committee to extend the zoning provisions which requires tourist developments over 1600 square feet to proceed subject to the negotiation of a development agreement to all new industrial and commercial developments, including Bed & Breakfast

establishments whether new or expansions.

3. Application of Paul MacEachern to allow the Development Officer to consider conversions of existing buildings to three unit buildings subject to site plan approvals. Presently conversions are only permitted which do not change the exterior of the building. This amendment would apply to all residential areas within Baddeck and would also apply to Bed & Breakfast establishments.

Motion carried.

AGENDA

The agenda was presented for approval. The following items are to be added to the agenda:

? Snow Removal Tenders

? Tom Wilson

? Non-resident land ownership

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

SNOW REMOVAL TENDER

Brian Trask advised that two tenders were received for a price per trip for plowing and removing the snow from the Court House and an hourly rate for sanding the Court House and Baddeck Landfill when required. The contract is for a two year period, ending May 31, 2001.

The tenders were open and were as follows:

Baddeck Construction Ltd. - \$60 per trip and \$35/hour for sanding

Barra Construction Ltd. \$46 per trip and \$28.75/hour for sanding

It was moved by Councillor Morrison, seconded by Councillor Yetman, that the tender submitted by Barra Construction Ltd. be accepted. Motion carried.

MINUTES

The minutes of the October 18, 1999, Council Session and the November 1, 1999, Committee of the Whole, were presented for approval.

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It was moved by Deputy Warden Sampson, seconded by Councillor MacLellan, that the minutes be

adopted as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

1. Councillor Yetman indicated that the community meetings have begun regarding the strategic community economic development plan. Ed Murphy has been hired as the facilitator for these meetings. The numbers attending the meetings to date have been low. The meetings will continue in communities until December 2, 1999, and comments can be forwarded in writing prior to December 3, 1999.
2. The study of the Baddeck Sewage Treatment Plant has commenced, with Rawdon Technologies undertaking the study.

It was felt that a long term financial plan should be established to determine where the funding will come from the upgrade the sewers. There are a number of businesses in the Baddeck area that wish to expand. It was felt that a Committee should be establish to deal with the sewage treatment issue.

It was moved by Councillor Morrison, seconded by Councillor Toms, that a committee be formed to determine how to proceed to have a sewage treatment plant established as soon as possible. Motion carried.

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that this committee consist of Bruce Morrison and Shane toms, two members of council and the Village of Baddeck be requested to appoint two members to this committee. Motion carried.

It was moved by Councillor Yetman, seconded by Councillor Morrison, that a letter be forwarded to the Village of Baddeck requesting that they provide 2 members to serve on this committee. Motion carried.

3. Phil MacDonald, Strait-Highlands Regional Development Agency, has been contacted and advised that he has been given time on the December 6, 1999, agenda to make a presentation.
4. Winston Musgrave, Zone Controller, EMO, will be invited to address Council at a meeting in the new year.

CORRESPONDENCE

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1. Letter from Richie Cotton, Warden, Municipality of the County of Richmond, requesting that the Wardens of the rural municipalities meet as soon as possible to discuss areas of concerns.

The Council felt this was a good idea and suggested that a representative of the UNSM be invited to attend this meeting.

2. Letter from Honourable Peter Christie, Minister of Community Services, regarding office space concerns in Baddeck.
3. Letter from Phil MacDonald, SHRDA, requesting permission to use County office space in the Ingonish area one day per week.

This request was previously agreed to.

4. Correspondence from Bruce Fitzner and Charles MacDonald, Department of Transportation and Public Works, in reply to Council's letter dated October 27, 1999.
5. Letter from Donald K. Matheson, Cape Breton-Victoria Regional School Board, advising that in January-February, 2000, the following schools will be surplus to the school board's needs:
 - ? Ingonish Beach
 - ? Neil's Harbour
 - ? Dingwall
 - ? Bay St. Lawrence

It was moved by Councillor Barron, seconded by Councillor Donovan, that a letter be forwarded to Don Matheson, Cape Breton-Victoria Regional School Board, expressing the County's interest in acquiring the four surplus school buildings. Motion carried.

6. Letter from the Department of Transportation and Public Works approving the following road name changes:
 - ? Road 6013P to Storm Drum Lane
 - ? New Harris Forks Road to Stewart Road
7. Letter from Rural Cape Breton District Planning Commission rejecting the road name change from New Harris Forks Road to Stewart Road.

TOM WILSON

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Courtesy of Council was extended to Tom Wilson, Recreation and Tourism Director.

Mr. Wilson advised that he enclosed in Council's binders the latest tourism statistics for Nova Scotia,

Cape Breton and Victoria County. Also enclosed was a document entitled, Atlantic Canada: Catching Tomorrow's Wave Summary.

The annual general meeting of Tourism Cape Breton will take place on November 26-27, 1999, at the Inverary Inn, Baddeck.

Victoria County, along with two other regions, hosted a SMART Conference recently at the Gaelic College, St. Ann's. There were in excess of 125 delegates and it was very successful.

Mr. Wilson questioned whether a written submission would be forwarded to the panel regarding the economic adjustment strategy. A written submission is being drafted regarding the #1 issue for southern Victoria, the Baddeck Sewage Treatment Plant.

It was moved by Councillor Yetman, seconded by Councillor Toms, that a written submission(s) be forwarded to the panel regarding Victoria County. Motion carried.

APPOINTMENT OF DEPUTY WARDEN

It was moved by Councillor Toms, seconded by Councillor Morrison, that Gerald Yetman be nominated for the position of Deputy Warden.

It was moved by Councillor Donovan, seconded by Councillor MacLellan, that Gerald Sampson be nominated for the position of Deputy Warden.

Nominations ceased.

Voting was done by secret ballot. The ballots were collected, counted and Brian Trask reported that the vote resulted in a 4-4 tie.

Council then proceeded to vote for Deputy Warden using an alternative method. The ballots were collected, counted and Brian Trask reported that successful candidate for the position of Deputy Warden was Gerald Yetman.

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It was moved by Deputy Warden Sampson, seconded by Councillor MacLellan, that Gerald Yetman's appointment as Deputy Warden be unanimous. Motion carried.

The newly elected Deputy Warden indicated that this was indeed an honor and he looked forward to

serving Victoria County in his new capacity as Deputy Warden.

RECESS

The Warden announced that Council would recess for 10 minutes.

EMO PROPOSAL

At a previous meeting Gary Collins submitted a proposal regarding begin the Emergency Measures Coordinator for Victoria County.

Mr. Collins drew up a comprehensive emergency plan for Victoria County which is yet to be reviewed by the EMO Committee.

Mr. Collins also recommended that Gary Stockley be the alternate EMC, should he be unavailable to act. Discussion took place on the proposal.

It was moved by Councillor Toms, seconded by Deputy Warden Sampson, that Mr. Collins proposal be accepted with the exception of the monetary issue and he be appointed EMC on a 6 month contract basis at a cost of \$600 per month, to be reviewed after the completion of the six month period. Motion carried.

CHIEF FIRE OFFICERS

Courtesy of the meeting was extended to Keith Bain, Charles Cook and Gary Stockley, representatives of the Chief Fire Officers Committee.

Mr. Bain advised that he provided Brian Trask with a copy of the minutes of their November 4, 1999, meeting.

On behalf of all the fire departments, he thanked Council for the additional \$2,000 each department received for the current year. Brian Trask advised that the registered substations have received the \$2,000 allocated to them,

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The fire departments are considering having an evaluation done of all departments. Ev Andrews, retired fire chief from North Sydney, has been approached to do an independent evaluation of all departments and Mr. Bain requested that Council give consideration in assisting with the cost of this

expense.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that this request be supported in principle, and the committee come back to Council with a cost for consideration. Motion carried.

Discussion took place on the transportation of dangerous goods on our highways. Deputy Warden Sampson spoke with Camille Tremblay, Federal Department of Transport regarding same. It was felt that a submission should be made from Victoria County indicating what we would like to see in this regard.

It was moved by Deputy Warden Sampson, seconded by Councillor MacLellan, that the Municipality, with the support of the fire departments, undertake to make a submission to the Federal Department of Transport regarding the transportation of dangerous goods. Motion carried.

Additional training for fire departments is being investigated at present. Councillor Donovan indicated that a motion was passed some time ago in regard to the municipality covering the cost of training.

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that it be investigated as to whether there is a motion on the books regarding training, and if not, this matter be referred to budget discussions. Motion carried.

Brian Trask advised that he received a request to investigate setting up rural fire protection districts. He indicated that there is a separate act dealing with this topic and it is quite a detailed process

Discussion took place on the boundaries and it was indicated that the 911 have established boundaries for the fire departments. Councillor Barron indicated that the boundary line between the Ingonish Beach and Ingonish Volunteer Fire Departments is not established. It was felt that the chiefs of the two departments should meet on this issue.

It was felt that the municipality should be aware of the established boundaries and this matter is to be referred to the Chief Fire Officers Committee.

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Discussion took place on fire protection within the Cape Breton Highlands National Park. Gary Stockley, Ingonish Volunteer Fire Department, indicated that his department have spoken with Parks Canada representatives and advised that they will provide fire protection. Councillor Barron indicated that the Ingonish Beach Volunteer Fire Department feel they should be reimbursed for costs associated with fighting fires in the park and will continue to invoice for their services.

Chief Charles Cook advised that the Baddeck Volunteer Fire Department are commencing a civic address sign campaign in the near future. The members will be traveling to all homes in their area selling signs and posts at a cost of \$15. He questioned whether funding would be available to cover the costs for people who are unable to pay same. The councillors in the respective areas indicated that they would support this initiative through their district budgets.

The Chief Fire Officers were excused at this time.

NON-RESIDENT LAND OWNERSHIP

Deputy Warden Sampson indicated that Joyce MacDougall, Access Nova Scotia, approached him with regard to non-resident land ownership.

The provincial government indicated in their platform that they would introduce legislation to permit municipalities to tax non-residential property owners at a higher rate than residential landowners. This would allow areas of the province where large segments of land are being bought up by non-residents to take steps to protect Nova Scotia taxpayers.

It was moved by Deputy Warden Sampson, seconded by Councillor Donovan, that a letter be forwarded to Premier John Hamm, with copies to Access Nova Scotia and the Chamber of Commerce in Sydney, supporting the introduction of legislation to permit municipalities to tax non-residential property owners at a higher rate than residential landowners. Motion carried.

DISTRICT CONCERNS

District #1

It was moved by Councillor Yetman, seconded by Deputy Warden Sampson, that a letter be forwarded to the Chairman of the Board and the Director of the Nova Scotia Highland Village congratulating them on being

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selected the top museum in Nova Scotia and wishing them well in the future. Motion carried.

It was moved by Councillor Yetman, seconded by Councillor Morrison, that a letter of congratulations be forwarded to Sempra Inc. and a copy of our previous resolution regarding phone call centre be also forwarded and they be invited to check out our facilities in Victoria County. Motion carried.

Councillor Yetman presented council members with a design concept for the Bras d'Or Lakes & Watershed Interpretation Centre for their information.

District #2

It was moved by Councillor Toms, seconded by Councillor Morrison, that \$350 be approved for interior lighting at the Victoria Highland Civic Centre from both the District #2 and District #4 budgets. Motion carried.

It was moved by Councillor Toms, seconded by Councillor Yetman, that \$300 be approved for New Year's Eve fireworks in the Village of Baddeck from the District #2 budget. Motion carried.

District #3

It was moved by Councillor Morrison, seconded by Councillor Yetman, that \$350 be approved for interior lighting at the Victoria Highland Civic Centre from the District #3 budget. Motion carried.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that in the event that the Village of Baddeck undertake upgrading of their water supply, the County and Village cost-share on the installation of a fire hydrant adjacent to Monty Nicholson's property, Baddeck Bay. Motion carried.

It was moved by Councillor Morrison, seconded by Councillor Yetman, that a letter be forwarded to the Minister of Transportation expressing Council's extreme displeasure on their plans for the mechanical branch located in Baddeck and requesting that they reconsider their 5 year plan of closure. Motion carried.

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It was moved by Councillor Morrison, seconded by Councillor Yetman, that \$300 be approved for New Year's Eve fireworks in the Village of Baddeck from the District #3 budget. Motion carried.

District #5

It was moved by Deputy Warden Sampson, seconded by Councillor Toms, that a letter be forwarded to Warden A. J. MacDougall, Inverness County, requesting they appoint a representative to the Coastal Mapping Committee. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Toms, that the financial chart for Victoria County be forwarded to the UNSM and they be requested to ask other municipal units to submit their financial position in similar form. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that \$200 be approved from the District #5 budget for the Boularderie Food Bank. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Toms, that a letter be forwarded to the Rural Cape Breton District Planning Commission requesting they begin the process for planning in Boularderie. Motion carried.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that a letter of congratulations and a certificate be forwarded from the municipality to Aaron Reid who was selected the top pitcher in Canada at the university level. Motion carried.

Deputy Warden Sampson advised that winter highway workers in Cape Breton will be called back one week later than the mainland to accommodate the late spring storms usually seen in Cape Breton.

There has been an increase in garbage all over the County as a result of the strike in the Cape Breton Regional Municipality.

LEFT

Councillors Toms and Morrison left at this time.

District #7

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A request was received for use of office space in the Ingonish area to accommodate the RDA, NEDAC, ECBC, etc.

It was moved by Councillor Donovan, seconded by Councillor MacLellan, that this matter be investigated and if space is available, these organizations be allowed to use same free of charge. Motion carried.

The School Board are to be requested to make a general presentation and the December or January meetings.

It was moved by Councillor Donovan, seconded by Deputy Warden Sampson, that a letter be forwarded to the Honourable Jamie Muir, Minister of Health, with a copy to Mary Forsey, ERHB, concerning the critical situation as a result of the lack of nurses and housekeeping staff at Buchanan Memorial Hospital, Neil's Harbour. Motion carried.

It was moved by Councillor Donovan, seconded by Councillor MacLellan, that the following be approved from the District #7 budget:

? \$400 - Ingonish Community Volunteer Association

? \$100 - St. Andrews Scouts

? \$200 - Branch 105, Royal Canadian Legion

Motion carried.

District #6

Councillor Barron presented a resolution regarding an operating subsidy for Ski Cape Smokey (copy attached).

It was moved by Councillor Barron, seconded by Councillor MacLellan, that this resolution be adopted and copies forwarded to Premier John Hamm; Honourable Gordon Balsler, Minister of Economic Development; Honourable Rodney MacDonald, Minister of Tourism; and the provincial cabinet of Nova Scotia. Motion carried.

It was moved by Councillor Barron, seconded by Deputy Warden Sampson, that \$200 be approved for Branch 105, Royal Canadian Legion (c/o Irvin Robinson) from the District #6 budget. Motion carried.

Councillor Barron presented a petition and letters of support for Jim and Margaret Dunphy in their efforts to obtain a license to operate an Enviro-Depot.

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Councillor Donovan expressed concern on the effect the issuance of another license would have on the Enviro-Depot at Neil's Harbour.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that a letter be forwarded to Adrian White, RRFB, in support of Jim and Margaret Dunphy obtaining a license to operate an Enviro-Depot at Ingonish.

Much discussion took place on this motion.

The motion was then put. Those voting in favour of the motion were Councillors Yetman, Barron, MacLellan and Warden MacInnes. Those voting against were Deputy Warden Sampson and Councillor Donovan. Motion carried.

District #4

It was moved by Warden MacInnes, seconded by Councillor MacLellan, that \$125 be approved for the

South Haven Guild from the District #4 budget. Motion carried.

District #5

Deputy Warden Sampson advised that the Economic Development Committee are considering applying for funding to have two workers research community and other groups in Victoria County.

It was moved by Deputy Warden Sampson, seconded by Councillor Yetman, that if the Committee is successful in obtaining funding to research community groups in Victoria County, the municipality do the necessary bookkeeping and paper work. Motion carried.

District #8

Councillor MacLellan brought up the matter of the gear sheds at the various harbours in northern Victoria. He would like to see the harbour authorities in the areas take over ownership of the sheds.

It was moved by Councillor MacLellan, seconded by Councillor Donovan, that the Harbour Authorities in Bay St. Lawrence, Dingwall, South Harbour and White Point assume ownership of the gear sheds in their jurisdiction. Motion carried.

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ADJOURN

There being no further business, on motion of Councillor MacLellan, the meeting adjourned.

John Graham MacInnes, Warden

Brian E. Trask, CAO