

VICTORIA COUNTY MUNICIPAL COUNCIL
December 5, 2005

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, December 5, 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 MacCuspic
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:

Lindsay McDonald, Pickup MacDowell
Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Budge called the meeting to order.

APPROVAL OF AGENDA

The agenda was presented for approval. Sandy Hudson requested the addition of a brief In Camera meeting at the end of the session.

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

APPROVAL OF MINUTES – NOVEMBER 2, 2005

The minutes of the November 2, 2005, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Patterson, seconded by Councillor Barron, that the November 2, 2005, minutes of Victoria County Municipal Council be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Dog By-Law

Copies of Dog By-Laws in effect in other jurisdictions have been obtained and will be reviewed by the Union and Management with a view to developing a new Dog/Animal By-Law for Victoria County.

Ingonish Water

Sandy Hudson advised that he anticipates that connections to the Ingonish Water Supply will begin the week of December 19, 2005. The hook-ups will be done as requested and most should be completed within a 3 week period. Seasonal residences will probably not be connected until the spring.

The \$125 connection fee was discussed. This includes connection, installation of water meter, etc. There have been a number of applications for connection received to date.

At some point in the future, an official opening for the Ingonish Water System will take place.

EMO Training

Warden Budge and Councillor Barron attended the 3 day Basic Emergency Preparedness Course in Baddeck last week. Both found the course to be informative and worthwhile.

Sandy Hudson is to check with Barry Campbell about a one day course for Council members and whether another 3 day course would be available in the future.

Councillor Barron indicated that he was advised that in order to serve on an Emergency Measures Committee, it will be a requirement to have the 3 day course, as well as an additional 5 day course. The 5 day course will be offered somewhere in the Province in 2006.

RCMP PRESENTATION

Courtesy of Council was extended to Sgt. Mike Bezanson, Baddeck Detachment, RCMP.

Sgt. Bezanson indicated that year to date statistics for the Baddeck Detachment are comparable to those for the same time period last year.

In terms of human resources, Sgt. Bezanson advised that one of his senior constables has recently been transferred to Digby Detachment and his replacement is due in Baddeck this week. Also on December 14, 2005, a new Cadet out of Depot will be coming to the Detachment and will add to the staff complement while being trained. Two highway patrol members are residents of Boularderie and are available to assist the Baddeck Detachment if needed.

Sgt. Bezanson informed Council of the national media attention received last week regarding Baddeck and the "Pass-Out" game a number of young people in the area were participating in. The report was beneficial in that it showed the action the RCMP and Baddeck Academy had taken with regard to the issue.

Sgt. Bezanson indicated that the force-wide new computer system has been instituted within the last year for the collection of statistics and intelligence-based policing.

A new First Nations Community Policing position has recently been approved, after a three-year negotiation period and will be in effect in late spring 2006. This will also be of benefit to the Baddeck Detachment as an additional resource.

Constable Kuchta participated in the 3 day Basic Emergency Preparedness training last week and Sgt. Bezanson also advised that Cpl. Williamson also completed the EMO Incident Commander training in Ottawa recently.

Sgt. Bezanson indicated that if at any time Council members had any questions or concerns, please feel free to call or visit his office to discuss any issues with him.

Warden Budge extended a vote of thanks to Sgt. Bezanson for his report and he was excused at this time.

SOLID WASTE TENDERS

Sandy Hudson advised that tenders were called for three separate contracts for four year duration for solid waste management, including three-stream curbside collection – north to Barrachois Bridge, three-stream collection – south from Barrachois Bridge, and trucking from Dingwall to Baddeck and transporting solid waste to Guysborough on an as required basis. These tenders were received up until 12:00 noon on Thursday, November 24, 2005, at which time a public opening was held. A total of five bids were received on the three different contracts.

Sandy Hudson advised that one tender was received from the three-stream curbside collection for northern Victoria to the Barrachois Bridge. The tender was received from David M. Fitzgerald in the amount of \$717,600.00 for the four year period.

Two tenders were received for the three-stream curbside collection for the area south of the Barrachois Bridge. The tenders were Dutch Brook Disposal Services in the amount of \$883,200.00 and Kilkare Transport in the amount of \$2,131,272.00.

Two tenders were also received for the trucking from Dingwall to Baddeck and transporting solid waste to Guysborough. The tenders were \$602,370.00 from Kilkare Transport and \$596,712.00 from Loch Bhreagh Excavating and Trucking.

Sandy Hudson advised that a review of all tenders received was conducted at Pickup MacDowell offices on Monday, November 28, 2005, with Jim MacLean, Lindsay MacDonald and himself in attendance. The tender criteria were reviewed and all tenders received were compliant.

Discussion took place on the tenders and the criteria used in the tender review.

It was moved by Councillor Barron, seconded by Councillor MacLellan, that David M. Fitzgerald's tender in the amount of \$717,600.00 be accepted for the three-stream curbside collection for the northern area of the County to the Barrachois Bridge. Motion carried.

It was moved by Councillor MacInnes, seconded by Councillor Patterson, that Dutch Brook Disposal Services' tender in the amount of \$883,200.00, the low tender, be accepted for the three-stream curbside collection for the area south of the Barrachois Bridge. Motion carried.

The final tender for the trucking from Dingwall to Baddeck and transporting to Guysborough was discussed.

It was moved by Deputy Warden MacNeil, seconded by Councillor MacLellan, that based on their experience hauling solid waste and their knowledge of environmental regulations, Kilkare Transport's tender in the amount of \$602,370.00 be approved for hauling waste from Dingwall to Baddeck and transporting solid waste to Guysborough.

Discussion took place on this motion and Council requested a legal opinion from solicitor, Lindsay MacDonald.

It was moved by Councillor Morrison, seconded by Councillor Barron, that Council move In Camera to obtain a legal opinion from the solicitor. Motion carried.

Council returned to regular session.

Council called for the question on the motion to approve Kilkare Transport's tender.

Those voting in favour of the motion were Deputy Warden MacNeil and Councillor MacLellan.

Those voting against the motion were Councillors MacCuspic, Morrison, MacInnes, Patterson, Barron and Warden Budge.

Motion defeated.

It was moved by Councillor Patterson, seconded by Councillor MacLellan, that Loch Bhragh Excavating & Trucking's tender for hauling waste from Dingwall to Baddeck and transporting solid waste from Baddeck to Guysborough in the amount of \$596,712.00, the low tender, be accepted. Motion carried.

MUNICIPAL POLLING DISTRICT BOUNDARIES

Sandy Hudson advised that Section 369 of the *Municipal Government Acts* states:

- (1) In the year 1999, and in the years 2006 and every eighth year thereafter the Council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of Councillors.
- (2) After the study is completed, and before the end of the year in which the study was conducted, the Council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of Councillors.

Mr. Hudson advised that Council should put some thought into how they wish the study to proceed.

Council felt it was important to go to the public to obtain their input on this matter. It was felt that an outside, independent consultant be given the task of completing the study.

In the meantime, Sandy Hudson is to obtain comparative statistics from other rural municipalities with regard to geography, population, remuneration, etc. for a future meeting and Council will give more thought to other information to be considered.

NEW BUSINESS

DINGWALL RECREATION PARK ASSOCIATION

Sometime ago, a citizen group in Dingwall expressed an interest in obtaining a lease on the old school property in Dingwall for a park area. At that time, they were advised to become an incorporated body and their request would be considered after that time.

Sandy Hudson advised that he received notification that the Dingwall Recreation Park Association received their Certificate of Incorporation under the Societies Act in August, 2005, and are now requesting a lease on the former school property to develop a recreation park.

It was moved by Councillor MacLellan, seconded by Councillor MacLellan, that authorization be given to enter into a lease arrangement with the Dingwall Recreation Park Association for the former Dingwall School property. Motion carried.

NEW INFRASTRUCTURE PROGRAM

Sandy Hudson advised that a new infrastructure program was recently announced, however, nothing has been received in writing as yet. Victoria County's share of the new funding is \$1.5 million.

Discussion took place on the infrastructure programs to be completed – Little Narrows Water Extension and Baddeck Water Wellfield Project. It was felt that a request for additional funding should be forwarded to Service Nova Scotia and Municipal Relations.

It was moved by Councillor Morrison, seconded by Councillor Barron, that a letter be forwarded to Service Nova Scotia and Municipal Relations requesting an additional \$3.5 million in infrastructure funding, for total funding of \$5 million. Motion carried.

BORROWING RESOLUTION

It was moved by Councillor MacInnes, seconded by Councillor Morrison, that the Municipality's line of credit borrowing at the East Coast Credit Union in the amount of \$1.7 million be renewed. Motion carried.

DISTRICT CONCERNS

District #3

Councillor Morrison brought forward a request from the Baddeck Lion's Club regarding a proposed fundraiser program regarding recyclables. They are proposing

purchasing and supplying recycling bags to homeowners in the Baddeck area. These bags will have “Baddeck Lions Club Beach Project” printed on them and when picked up at curbside, the contents of the bags would be credited to an account in the Lions Club name.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that the Municipality support the Baddeck Lion’s Club proposal regarding recycling.

Councillor Morrison voted in favour of the motion.

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

Motion defeated.

District #3

Councillor MacCuspic questioned on street lighting and was advised that each district had an allotment of 3 streetlights for this year and they could be ordered through the Administration Office.

District #1

Deputy Warden MacNeil requested that a letter be forwarded to Charles MacDonald, Department of Transportation, concerning the road name change request to rename a section of the Washabuck Road to either MacKinnon Road or Old MacKinnon Road.

Councillor Morrison requested that the relocating of fallen signs at Exit 9 (Baddeck) be included in the letter to the Department of Transportation and Councillor MacCuspic requested that the placement of additional warning signs in the area of MacLeod’s Brook, Middle River, be again revisited.

District #5

Councillor Patterson provided an update on the Ross Ferry Stewardship Society’s Marine Park. He presented pictures and a copy of the financial statements of the Society.

District #6

Councillor Barron indicated that the Smokey Recreational Society has the opportunity to purchase a second-hand zamboni for the outdoor rink.

It was moved by Councillor Barron, seconded by Councillor MacInnes, that \$6,000.00 be approved from the 2006/2007 District #6 budget for the Smokey Recreational Society for the purchase of a second-hand zamboni for their outdoor rink. Motion carried.

District #8

It was moved by Councillor MacLellan, seconded by Councillor Barron, that a water system for St. Margaret's Village and Bay St. Lawrence be added to the list of infrastructure projects. Motion carried.

District #7

Warden Budge questioned whether a reply had been received from the Department of Natural Resources on Council's request for a conservation officer for the North of Smokey area.

Warden Budge will contact Blaise Landry, DNR, to determine whether the request should be for a conservation officer or an enforcement officer.

CORRESPONDENCE

1. Letter from Brooke Taylor, MLA, Colchester-Musquodoboit Valley, enclosing a copy of Bill No. 275 – *Off-Highway Vehicle Act*.
2. Letter from Eddie Keeling, Chairman, Village of Baddeck, requesting that Sandy Hudson and Bruce Morrison be appointed to serve on the Revitalization and Upgrade of the Baddeck Experience Committee.

It was moved by Councillor MacInnes, seconded by Councillor Patterson, that Councillor Morrison and Sandy Hudson be appointed to the Revitalization and Upgrade of the Baddeck Experience Committee. Motion carried.

3. Letter from Heather Morrison, North Highlands Community Organization, requesting financial assistance in the amount of \$20,000.00 for the fiscal year 2006-2007.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that the request from the North Highlands Community Organization be referred to budget deliberations. Motion carried.

4. Correspondence from Alex Steeves, Department of Justice, including a legislative draft of the Nova Scotia Police Act Regulations for perusal and input.
5. Copy of a letter from the Municipality of the District of Yarmouth to the Federal Minister of Justice regarding the *Youth Criminal Justice Act*.

It was moved by Deputy Warden MacNeil, seconded by Councillor MacCuspik, that a letter be forwarded to the Minister of Justice requesting a review be undertaken of the *Youth Criminal Justice Act*. Motion carried.

6. Letter from Marilyn Zisseron, President, Two Rivers Wildlife Park, requesting time on a future agenda to make a short presentation to Council on the Two Rivers Wildlife Park.

It was moved by Councillor Morrison, seconded by Councillor MacInnes, that representatives from the Two Rivers Wildlife Park Board of Directors be invited to make a presentation at a future Council meeting. Motion carried with Deputy Warden MacNeil casting a dissenting vote.

7. The Council/Staff Christmas Party will be held at the home of Pauline Davis on Saturday, December 10, 2005.

BUDGET PROCESS

Sandy Hudson advised that budget deliberations should commence early in the New Year. The elimination of the Business Occupancy Tax and associated changes in commercial taxation will have an affect on our revenue. As well, the increased costs in solid waste management with the new contracts and tipping fees at Guysborough will also impact the budget.

EXCHANGE OF LANDS

A public hearing was held prior to Council with regard to the Municipality's proposed transfer of municipal land located at Quarry, St. Ann's, to the Province of Nova Scotia in exchange for Provincial land located at Old Margaree Road, Baddeck, adjacent to the Municipal Landfill property.

It was moved by Councillor MacInnes, seconded by Councillor Patterson, that the land exchange with the Province proceed as proposed. Motion carried.

IN CAMERA

It was moved by Councillor MacInnes, seconded by Councillor Barron, to move In Camera. Motion carried.

Council returned to Regular Session.

ADJOURN

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

Wayne Budge, Warden

Sandy Hudson, CAO