

VICTORIA COUNTY MUNICIPAL COUNCIL
December 9, 2002

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, December 9, 2002, beginning at 5:30 p.m. with Warden Gerald Sampson 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 (Late Arrival)
District #5 – Gerald Sampson, Warden
District #6 – Lawrence Barron
District #7 – Wayne Budge
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

CALL TO ORDER

Warden Sampson called the meeting to order.

APPROVAL OF AGENDA/TIME TO ADJOURN

The agenda was presented for approval.

It was moved by Councillor MacNeil, seconded by Councillor Budge, that the agenda be approved as presented and the time for adjournment be set at 7:45 p.m. Motion carried.

MINUTES

The minutes of the November 18, 2002, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacNeil, seconded by Councillor Budge, that the minutes of the November 18, 2002, Council meeting be approved as presented. Motion carried.

KEN PARUCH, NOVA SCOTIA POWER INC.

Warden Sampson extended the courtesy of Council to Ken Paruch, Regional Customer Service Manager, Nova Scotia Power Inc.

Mr. Paruch presented Council with an overhead projection presentation showing the NSP website, www.nspower.ca. He indicated that anyone can report streetlight outages on this site and went step by step through the reporting process with Council. When these reports are received, an email acknowledgement of receipt is sent and then the outage report is forwarded to applicable NSP workers for repair. There should be an approximate 5-day turnaround to repair these lights. Mr. Paruch advised that street light outages may also be reported by contacting NSP's toll free number – 1-800-428-6230.

To date this year, Mr. Paruch advised that 4,210 lights have been repaired in Cape Breton. New installs for this year were 430 and 431 lights were removed. Mr. Paruch was questioned on how many streetlights Victoria County pay for and he advised the amount was approximately 1600 lights.

Mr. Paruch advised that after viewing Chebucto Street with Sandy Hudson, he would be adjusting the bill to strike out a number of lights and will go back for a period of six months with this adjustment.

Discussion took place on trees against power lines and Mr. Paruch advised that trees on private property are the responsibility of the property owner. NSP is responsible for the removal of trees along the roadway.

Mr. Hudson presented a bill received today from NSP for \$1,025.90 for repairs to vandalized streetlights. Mr. Paruch advised that if lights are vandalized, it is the responsibility of the Municipality to cover the cost of the repairs.

Mr. Hudson also brought up the condition of the transmission line that services Baddeck Bay and part of Baddeck. It has been reported that this line is in bad repair.

Mr. Paruch brought up an outstanding issue with regard to monies owing NSP for the installation of power to the White Point lots. It was the consensus that this bill would be paid.

Mr. Paruch asked for Council's co-operation in identifying the street lights out in their districts. This will ensure that the lights the Municipality is paying for are in working order.

Discussion took place on the maintenance of transmission lines in the northern area of the County. Some of these lines are in the middle of nowhere and it would be easier to do preventative maintenance in the summer months, rather than in the middle of winter when a power outage occurs.

After further discussion, Mr. Paruch was extended a vote of thanks and excused at this time.

PROVINCIAL NOMINEE PROGRAM

Courtesy of Council was extended to Ross MacDonald, Director of Community Economic Development.

Mr. MacDonald advised Council of the Provincial Nominee Program which will come into effect in the New Year. This program allows for the nomination of people to more remote areas of the province. There are three types of nominations:

- Skills Based
- Investment Nominations
- Community Based Nominations

Mr. MacDonald advised that there are five (5) young men in the North Shore area from France, Germany, and the USA who the community wish to nominate for citizenship.

Frances Wolfe is the coordinator of this program and she will be available to come to Council at a later date to explain this program further.

While in attendance, Mr. MacDonald took the opportunity to update Council on projects he is presently working on. He presented Council with a statistical profile for Victoria County which he received today from the Nova Scotia Department of Finance, Statistics Division.

Mr. MacDonald also indicated that Ski Cape Smokey would not be opening this winter season. The Board of Ski Cape Smokey is now looking for private investors and a call for proposals is due on January 15, 2003. The province has advised that if private investments are not successful, they will work with the Board for a summer operation.

Councillor Barron advised that this would not be acceptable to the people of Ingonish. He expressed concern that the proper maintenance is not being done on the chair lift. The chairs should be removed to prevent damage to the cable.

Mr. MacDonald advised that the proper maintenance has been completed and approved by the provincial inspector. The province has paid the cost of this maintenance.

Mr. MacDonald updated Council on his involvement with the Pitupaq Committee and the completion of the work to the North River Falls Trail. He also advised Council of

the plans for a County Conference in April, 2003, and indicated further details will be provided at a later date and welcomed Council's input regarding this conference.

Mr. MacDonald was excused at this time.

Councillor Barron expressed his displeasure with the present Board of Ski Cape Smokey and the fact that it is now two years in a row since the ski hill has operated. This he felt was a disgrace and the Board should be ashamed of the way it is running this facility into the ground.

EMO PRESENTATION

Warden Sampson advised that Gary Collins was unavailable to provide an update on EMO this evening.

EXPENSE POLICY

Sandy Hudson indicated that more direction is required as to the payment of expenses. In the *Municipal Government Act*, authorization is given for the payment of expenditures for Council Committees where all voting members of the committee are Council members. He cannot find authority to pay expenses of lay people serving on committees.

Discussion took place on obtaining prior authorization before incurring expenses that are not considered regular expenses. It was felt it would be beneficial to sit down to discuss this issue further and develop a policy.

Mr. Hudson also felt that if items are budgeted, and the money is being spent as outlined in the budget, he did not see why this expenditure should come back to Council for approval. If there is a change required, then it would be appropriate to bring the request back to Council for approval.

It was decided that Council and the CAO would work together to review and develop appropriate policies regarding expenses.

ROADS POLICY

Sandy Hudson advised that, with the request from Finewood Flooring & Lumber Ltd. regarding the takeover of their roadway, he felt it was appropriate to develop a Roads Policy for the Municipality. He has requested participation from a number of individuals, i. e. John Bain, Rural Cape Breton District Planning Commission; Charlie MacDonald, Department of Transportation; and Ross MacDonald, Director of Economic

Development. Council participation will also be required and it is hoped a policy will be developed prior to Finewood's request coming to Council in February, 2003.

REQUEST FOR PLEBISCITE – DISTRICT #1

A request was received from the Little Narrows Community Development Association that Council pass a resolution that a plebiscite be held in District #1. The Association is looking at acquiring a "club license" to enable them to sell alcohol at various functions within the community. If approved, the request for a plebiscite is to be forwarded to the Nova Scotia Alcohol and Gaming Authority who will begin the process for the plebiscite.

It was moved by Councillor MacNeil, seconded by Councillor MacLellan, that Council request the Nova Scotia Alcohol & Gaming Authority to begin the process to hold a plebiscite in District #1, Victoria County. Motion carried.

INGONISH FERRY BREAKWATER

Councillor Barron updated Council on the Ingonish Ferry Breakwater and the need to obtain a permit from the Department of Natural Resources that would allow a contractor to reinforce the barrier that separates Ingonish Harbour from the ocean with armour stone. The Municipality is being requested to be the lead agency to apply for this permit to enable the work to be completed. Once the permit is obtained, Mark Eyking, MP, will attempt to obtain the funding to have the work completed.

Sandy Hudson advised of a meeting he recently had with Wendy Arseneau, Department of Natural Resources, in this regard.

It was moved by Councillor Barron, seconded by Councillor MacNeil, that the Municipality of the County of Victoria make application for the permit for the Ingonish Ferry Breakwater. Motion carried.

INFRASTRUCTURE UPDATES

Courtesy of Council was extended to Ed Carey, P. Eng., who was in attendance to provide Council with updates on the infrastructure projects.

Dingwall Water

Mr. Carey advised that he and Councillor MacLellan met with Jessie MacDonald, Dingwall, to discuss obtaining additional property from her. The additional property

will protect the wellhead and this will be discussed with Mr. Hudson further if Council is interested in obtaining the property.

Ingonish Beach Water

Mr. Carey advised that he is in the process of completing cost estimates and will have these estimates to Mr. Hudson by December 20, 2002. He will present two options – one with Parks Canada involvement and one without. The option without Parks Canada will also present options for phasing in this project in 2 phases.

Baddeck Sewer Treatment Plant

The concrete work has been completed and the building has been started as of today. There have been six change orders to date – the first five cost in the vicinity of \$5,000 in total and the sixth was approximately \$6,000 to put permanent ladders in the tanks.

Mr. Carey was excused at this time.

NEW BUSINESS

Derelict Vehicles

Mr. Hudson indicated that \$30,000 was budgeted for derelict vehicle removal and this figure has been exceeded and he felt that further hauling of derelict vehicles should cease until after the new fiscal year starting on April 1, 2003. Council agreed with this action.

Municipal Heritage Property

A letter was received from Florence MacCuspik and Lucy Chisholm seeking Council's approval to allow their property at 158 Indian Brook Road, Middle River, to be de-registered as a municipal heritage property.

Mr. Hudson advised that under the *Heritage Property Act*, a requirement is that a public hearing be held concerning the de-registration.

It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that a public hearing be held on January 13, 2003, to consider de-registration of a municipal heritage property located at 158 Indian Brook Road, Middle River. Motion carried.

Joint Meeting of Councils of Cape Breton

A letter was received from Bernie White, Municipal Clerk, CBRM, inviting Council to a joint meeting of concern over the recent decision by the Nova Scotia Utility and Review Board to permit the abandonment of rail service east of Port Hawkesbury. The meeting is scheduled for December 13, 2002, at 1:00 p.m. in Sydney.

Warden Sampson, Deputy Warden MacInnes, and Councillors MacNeil and Morrison, expressed an interest in attending this meeting.

It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that the Municipality of the County of Victoria go on record as supporting the continued rail service in Cape Breton. Motion carried.

E-911

A request was received from John Bain, Director of the Rural Cape Breton District Planning Commission, that the Municipality forward the E-911 Cost Recovery Fund Grant of \$2,702.50 recently forwarded to the County by the Provincial Emergency Measures Organization to the Rural Cape Breton District Planning Commission. The District Planning Commission has been providing E-911 civic addressing services to the Municipality.

It was moved by Councillor Morrison, seconded by Councillor Toms, that the E-911 Cost Recovery Fund Grant of \$2,702.50 be forwarded to the Rural Cape Breton District Planning Commission. Motion carried.

Property Tax Relief

Council members were provided with a copy of a document received from Service Nova Scotia and Municipal Relations entitled "*Property Tax Relief: Principles and Options*".

The assessment notices will be out in January, 2003, and it was felt that this topic will again resurface at that time.

Big Bras d'Or Fire Hall

A request was received from Kevin Squires, Big Bras d'Or Fire Hall Committee, concerning the upgrading of the hall and seeking assistance from the Municipality. Warden Sampson advised that he provided \$500.00 from his district budget.

National Flag Day of Canada

It was moved Councillor Toms, seconded by Deputy Warden MacInnes, that February 15, 2003, be proclaimed “National Flag Day of Canada” in the Municipality of the County of Victoria. Motion carried.

3-Phase Power – Iona

Councillor MacNeil indicated that a site has been chosen for the new Rankin Memorial School, Iona. The Department of Education will cover the cost of installation of 3-phase power; however, this will take away from other areas of the school construction.

It was moved by Councillor MacNeil, seconded by Councillor Toms, that a letter be forwarded to the Honourable Cecil Clarke, Minister of Economic Development, requesting that, with the development planned for the Iona area, the Department of Economic Development cover the cost of the installation of 3-phase power. Motion carried.

FCM Conference

The 2003 FCM Conference will be held in Winnipeg, Manitoba, from May 30 to June 2, 2003.

IN-CAMERA

It was moved by Councillor Toms, that Council move In Camera.

REGULAR SESSION

Council returned to regular session.

CAPE BRETON HIGHLANDS NATIONAL PARK

Discussion took place on the Cape Breton Highlands National Park’s management plan. Tim Reynolds is to be invited to attend the January 13, 2003, Council meeting to update Council on the management plan.

INDEPENDENT AUDIT

It was moved by Councillor Barron, seconded by Councillor Budge, that Grant Thornton Chartered Accountants be retained to conduct an independent audit for the Municipality. Motion carried.

ADJOURN

There being no further business, on motion of Councillor Barron, the meeting adjourned at 7:50 p.m.

A. W. (Sandy) Hudson, CAO

Gerald Sampson, Warden