

VICTORIA COUNTY MUNICIPAL COUNCIL
March 29, 2010

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 29, 2010, beginning at 5:00 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/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and presented the agenda for approval.

Councillor Donovan requested an In Camera session be included on the agenda.

It was moved by Councillor MacNeil, seconded by Deputy Warden Patterson, that the agenda be approved with the noted addition. Motion carried.

RCMP UPDATE

Courtesy of Council was extended to Staff Sgt. Archie Thompson, RCMP, who was in attendance to provide Council with an update on RCMP operations in Victoria County.

Staff Sgt. Thompson advised that he cannot provide an update at this time on Wagmatcook as discussions are ongoing on this matter.

The recently created street crime position in Victoria County has proven successful. Five individuals have been arrested on break and enter charges and are now before the Courts.

The Community Office at the Boularderie School is being revitalized and a dedicated internet line is being installed to allow members to work from this office. This will increase the RCMP presence in the school and the community.

Staff Sgt. Thompson indicated that Shelley MacDonald, Civil Servant at the Baddeck Detachment, has announced she is retiring and a permanent replacement will be hired to fill this position.

Deputy Warden Patterson thanked the RCMP for re-opening the community office at the Boularderie School. It will make a difference to the community, the school and the students. Staff Sgt. Thompson indicated that he hopes that volunteers will come forward to assist with the operation of the office.

Councillor Dauphinee indicated that he has been working with Corporal Ellis on a number of concerns in his area. A meeting will be held with the area seniors to promote safety and awareness with this group. Staff Sgt. Thompson advised that seniors' safety is one of the initiatives being undertaken this year.

Councillor Dauphinee indicated that the Justice Centre at the former school property in Ingonish Beach will be up and operating in the near future and this is a positive measure.

Councillor Donovan indicated that the routine traffic stops and increased presence of the RCMP have assisted greatly in his district.

Councillor MacLellan expressed his satisfaction with the RCMP presence in his district.

Councillor MacInnis wished to express thanks to Corporal Ellis for the invitation she extended to Councillors in the Ingonish Beach Detachment jurisdiction to meet with her. He was sorry to have been unable to meet with her. He indicated his concern with regard to speeding in his district. Staff Sgt. Thompson advised that the four leading causes of accidents are impaired drivers, speed, seats belts and aggressive drivers. Impaired driving is up 20% over last year and Staff Sgt. Thompson indicated that his members will be increasing their focus on the remaining three – speeding, seat belts and aggressive driving.

Councillor MacInnis requested that the RCMP increase their patrols on the wharves in the areas now that fishermen are gearing up for the upcoming season and the wharves are getting busy.

Councillor MacCuspic questioned on the recent radio announcements regarding impaired drivers. This is not an RCMP initiative and Staff Sgt. Thompson indicated it could be a Cape Breton Regional Police Service report.

Councillor MacNeil indicated that he is not hearing as much about break and enters in his area and this may be a result of the charges laid and the increased police presence in the area.

Warden Morrison questioned on the staffing at present and Staff Sgt. Thompson advised that one member is currently on parental leave. Constable Barry Forrest, the recruitment officer, is surplus and can be utilized to fill this position, so the staff complement is basically full strength. From a budget perspective, the Victoria County District came in on budget.

Staff Sgt. Thompson was extended a vote of thanks for his report and was excused at this time.

DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE RENEWAL

Courtesy of Council was extended to Steve MacDonald, Acting Area Manager, Department of Transportation and Infrastructure Renewal.

Mr. MacDonald indicated that he is Acting Area Manager and has been with the Department for the past 15 years as Supervisor, with exception of two years when he worked at the Sydney Tar Ponds.

Mr. MacDonald provided Council with an update on the possible capital projects within his jurisdiction. Three sections of the TCH 105 have been tendered. The sections are all west of Baddeck and comprise of 12.4 km in total. Work will also be completed on the trunk highway – Cabot Trail at St. Ann’s 6.6 km to the Meadow Road at Goose Cove. Upgrades to Route 223 were also outlined, as were local paved roads such as Gillis Point to Maskell’s Harbour and Washabuck. Upgrades to Highway 205 (Baddeck Bay Road) are in the estimate stage at present. A tender for Corson Bridge should be out next month, as the design phase has been completed.

The RIM funding was discussed and Mr. MacDonald indicated that there will be a reduction in asphalt spreader patching this year and he advised of the areas where patching will take place. Shoulder gravel will also be done in various areas of the County, as well as removal of guideposts, gravel patching, ditching and brush cutting. The total value of RIM funding in this area is \$1 million of which approximately \$570,000.00 is spent in Victoria County. The budget for the upcoming year is staying the same as last year, with the exception of the reduction in asphalt spreader patching.

Mr. MacDonald indicated that there is a possibility that grading will be done earlier this year. Winter snow removal finished on Saturday past at midnight and the grader has been brought in and the wing and other snow removal equipment is being removed to allow grading to start as soon as possible. The private contractor in Little Narrows has also been advised to get his grader ready.

The question was raised as to how paving gets prioritized. Mr. MacDonald advised that the District prepares a list, based on field observations. This list is then ranked by the Technical Services Branch who collect data on traffic volumes, etc. and the priority list is then made. Mr. MacDonald indicated that Council members can submit the names of roads to him and he will take the list to the District Manager for consideration.

Deputy Warden Patterson expressed appreciation for the guardrail installed and bush whacking done in his district.

Councillor Dauphinee questioned on when to expect work to commence on Corson Bridge. The project is in the final stages of design and after the design is completed a tender will be issued with a two to three week time frame, so it is anticipated that the target date to commence the project will be June at the earliest.

Councillor Dauphinee questioned on the reclaimed asphalt material. Mr. MacDonald indicated that this reclaimed material is permitted for use on some of the Department's main activities. It has been placed on a number of roads.

Mr. MacDonald advised that as a trial project, 30 to 40% of reclaimed material will be mixed with gravel and used on certain roads in Boularderie this year to see how it will stand up. This mixture will allow the roads to be re-graded when necessary.

The possibility of putting reclaimed material on Rocky Point Road in Ingonish was questioned. The problem with this road is a drainage issue and Mr. MacDonald indicated that he is willing to look at this road to see what can be done.

The shoulders of the road on Smokey will be done this year and the material used will be the reclaimed asphalt material. \$50,000.00 has been allotted for this work.

The completion of the Cabot Trail from Barrachois to the foot of Smokey (30 km) and St. Ann's to Barrachois (27 km) was discussed. A five year commitment was made to complete the repaving of these areas and now in year three approximately 50% will be completed. With two years remaining on the commitment, it was questioned when the remainder of the roads would be completed. All vehicles to and from the northern area of Victoria County must travel through North Shore and this road is in need of attention.

The reclaimed material placed on the Warr Road two years ago has proven to be satisfactory, as no maintenance has been required since that time. It was indicated that more work will be done on the Jack MacLeod Road using the reclaimed material.

Mr. MacDonald indicated that Councillors can provide a list of roads they would like considered for upgrade with reclaimed material and he will forward it on to the District Manager for consideration.

Councillor Donovan requested that the Ferry Road, Ingonish, be graded as soon as possible. He also brought up the condition of the White Point Road and requested consideration be given to work on this road.

Mr. MacDonald indicated that his door is always open and when he receives a request he will investigate and come back with an answer to the request.

A question was raised as to what criteria is used to generate the RIM work lists. These are to an extent based on complaints received. Bushwhacking throughout the County was discussed and Mr. MacDonald indicated that work should commence in a months time with the intent to keep going as long as there is funding. The cost of bushwhacking is \$1,500 to \$2,000 per day.

Mr. MacDonald indicated that proper drainage is a problem on a number of roads. Ditching is lacking on these roads and investigation will be done on road ditching throughout the County.

Council members can bring their concerns to their district supervisor and they will be brought forward for consideration.

Mr. MacDonald indicated that some patching work was completed on South Ridge Road, Dingwall, today and more will be done in future. Shoulder work will be completed on the Bay St. Lawrence Road and Councillor MacLellan requested that consideration be given to the Money Point Road.

Councillor MacInnis questioned on the Englishtown Ferry and Mr. MacDonald advised that Ferry operations are looked after by another branch of the Department. He will attempt to get an answer to the question of a rumored one month layup of the ferry for refit.

A question was raised as to when the roads would re-open and Mr. MacDonald indicated that the western district will be open within the next two weeks, so realistically it will be the end of April before the roads re-open.

Councillor MacInnis requested that the bush cutter come to his area. The roadsides, especially in the Indian Brook area, need attention. He also questioned on the North River plow and was advised that a new loader is on the capital program list and should be ready for plowing next fall.

The savings realized as a result of this winter season were discussed. Mr. MacDonald indicated that salt usage was down 3000 tons from last year and overall for snow removal this year, they came in on budget, as there was a significant over expenditure from last winter season to be covered.

A holding facility for salt was discussed and Mr. MacDonald indicated that they have a partnership with the CBH National Park to use their storage facility. The old salt silo site at Wreck Cove is being dismantled and cleaned up. Mr. MacDonald advised that a new 6 wheel drive tandem truck is on the list for Ingonish.

Councillor MacCuspic brought up the concern of the area of MacLeod's Brook, Middle River. He indicated that there have been several accidents in this area and he requested that the District Traffic Supervisor do an analysis of this area to determine if more signage and/or a speed reduction is warranted. It was felt that such an assessment should be done in the busy tourist season, rather than the offseason. Councillor MacCuspic also brought up the matter of the roads in West Side Middle River that require attention. A list of roads will be provided to Mr. MacDonald for consideration. The matter of the roadways in Wagmatcook was also addressed.

Councillor MacNeil thanked Mr. MacDonald for meeting with the residents of the John Neil George Road on the condition of the roadway. Mr. MacDonald indicated that he would investigate this file and provide a response.

Gravel has been allotted for the Barra Glen Road, but no ditching and Mr. MacDonald indicated he would look at doing some work with their own maintenance crew. Ditching is required on many roads throughout the area. Councillor MacNeil also requested that the cable guardrail in his district be looked at with a view to replacing same. He also requested attention to other local roads in his district.

Warden Morrison questioned on whether work would be done to the culvert at the former Bay School property adjacent to the Beinn Bhreagh Road. Mr. MacDonald advised that Route 205 has been identified under the pavement preservation program and work will be done on drainage, patching, shouldering, etc. Guardrail will be placed along guideposts and 4 cross culverts and 8 to 9 driveways have been identified on this road. Approximately \$60,000 in drainage work will be completed prior to the contractor coming in to do planned maintenance work.

Warden Morrison also requested that consideration be given to placing armour stone in the area of the Bay Pond on Route 205. The guardrails along the area between Exits 9 and 10 were discussed and cutting is required in this area to improve visibility. Whether the Department of Transportation and Infrastructure Renewal would be taking over the new Alderwood roadway was discussed and Mr. MacDonald indicated that probably yes, but he would check for sure.

Warden Morrison also mentioned the washout and drop off from the roadway adjacent to the Asaph property on Old Margaree Road Mr. MacDonald indicated he would investigate.

Discussion took place and Mr. MacDonald indicated that his office is always open and provided his email address – macdonsv@gov.ns.ca and phone number 295-2700 to Council. He indicated he would take the concerns addressed at tonight's meeting, investigate and provide a response within the next couple of weeks.

Warden Morrison extended a vote of thanks to Mr. MacDonald for his attendance and he was excused at this time.

RECESS

Warden Morrison advised that Council would recess for 10 minutes.

APPROVAL OF MINUTES – MARCH 1, 2010

The minutes of the March 1, 2010, session of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Dauphinee, seconded by Councillor MacLellan, that the Victoria County Municipal Council minutes of March 1, 2010, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Fire Department Study

A question was raised on the status of obtaining information with regard to a fire department study. Sandy Hudson indicated that he contacted Keith Hunter, Chair of the Rural Caucus, in this regard and has not received a reply to date.

Mr. Hudson indicated that if funding is not available through the Rural Caucus program, then he felt the Municipality could fund a study of the fire service. The

Municipality would then own the study. This can be included in the budget for consideration of Council.

Seal Island Lighthouse

A letter was forwarded to the Governors of Acadia University concerning the condition of the Seal Island Lighthouse.

Beverly's Hill Road

A letter was forwarded to the Department of Transportation concerning lighting at the eastern entrance to the Beverly's Hill Road, but a reply has not been received to date.

Solid Waste Collection

Interviews were conducted for the solid waste driver and helper positions. A decision on hiring will be made within the next couple of days.

Curfew By-Law

Councillor Dauphinee again brought up the matter of a Curfew By-Law and the copy received from Inverness County. He questioned whether a by-law could be adopted for a certain area of the County, as he is worried about the upcoming summer season in the Ingonish Beach area. Sandy Hudson will check further with Inverness County on their by-law, the areas it covers and their enforcement.

Tax Sale

Sandy Hudson advised that one property was sold at the tax sale on March 23, 2010. This property is redeemable. The taxes and costs owing on 7 properties were paid prior to the tax sale and two properties were removed from the sale due to a concern on the assessment of the properties.

One Ton Truck

The question was raised as to whether the one ton truck purchased for the solid waste department was a four wheel drive vehicle. Sandy Hudson advised that the vehicle was in deed a four wheel drive vehicle.

COMMITTEE REPORTS

Victoria County Municipal Community Development Committee

The Victoria County Municipal Community Development Committee met on March 3, 2010, and reviewed the Economic Development Strategy. Deputy Warden Patterson indicated that the Committee recommended the strategy be adopted in principle, as a working document.

It was moved by Deputy Warden Patterson, seconded by Councillor MacLellan, that the Victoria County Economic Development Strategy entitled Possibilities, be approved in principle, as a working document. Motion carried.

Age Friendly Communities Committee

Deputy Warden Patterson advised Council on a session he recently attended as a member of the UNSM's Age Friendly Communities Committee. Ten pilot projects from across Canada were presented. Clarenville, Newfoundland, was the only Atlantic Canadian district to be included and the basic intent of the program is to promote awareness of the barriers faced by seniors in day to day living that affects their mobility.

The information received will be brought to the UNSM's Age Friendly Committee to look at possible pilot programs in Nova Scotia. Deputy Warden Patterson advised that he would keep Council updated on this matter.

NOVA SCOTIA BIRD SOCIETY SANCTUARY TRUST

A letter was received from the Nova Scotia Bird Society Sanctuary Trust requesting that Hertford Island (one of the Bird Islands) be designated as a conservation property and be given tax exempt status.

Sandy Hudson advised that we have a Tax Exemption By-Law which allows the Municipality to grant tax exemptions to organizations that have a federal charitable tax number. He advised that the Nova Scotia Bird Society Sanctuary Trust have such a number.

It was moved by Councillor Donovan, seconded by Councillor MacCuspic, that the Nova Scotia Bird Society Sanctuary Trust's property (Hertford Island) be included on the tax exempt list in our Tax Exemption By-Law. Motion carried.

DISTRICT CONCERNS

District #1

Councillor MacNeil indicated that the residents of the John Neil George Road appreciate the water system extension, but feel that the road is not in the shape it was prior to the installation of the water line.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspig, that a letter be provided to Joey Oleson in of support the efforts to have upgrading and paving of the provincial roads undertaken in Wagmatcook First Nation. Motion carried.

District #2

Councillor MacCuspig indicated that he obtained a price on solar street lighting from a firm in California that may be a possibility for the Beverly's Hill Road. The cost estimate is \$8,800.00 plus the cost of a pole. NSPI provided a price of approximately \$20,000.00. He will continue to investigate this matter to see if this technology would work in this area.

Councillor MacCuspig advised that there are a number of residents afflicted with Multiple Sclerosis (MS) in our County. There is a new treatment for MS and he felt it would be beneficial to our residents if we could obtain further information on same.

It was moved by Councillor MacCuspig, seconded by Councillor Donovan, that a letter be forwarded to John Malcom, Cape Breton District Health Authority, requesting information on the new MS treatment and whether there was someone who could appear before Council to provide an update on same. Motion carried.

District #4

Councillor MacInnis indicated that the Englishtown Mussel Festival was inquiring about a tent for their event and he wondered if there were any available. The County does not have any, but it was indicated that one may be available through a Victoria County Fire Department.

The matter regarding payment by the Highland Manor Board for Committee members will be brought to the next Highland Manor Board meeting.

District #7

Councillor Donovan indicated that a recent blocking of the South Harbour Channel resulted in flooding issues and he approved \$600.00 for Alex Dunphy to open the channel as the Municipality used to, during his previous Council term, be involved in this process.

Sandy Hudson indicated that he was concerned with setting a precedent and the liability involved to the Municipality. Councillor Donovan indicated that now that he is aware of the County's position on this matter, he will not approve such expenditures in the future.

It was moved by Councillor Donovan, seconded by Councillor Dauphinee, to provide a one time payment to the Hideaway Campground in the amount of \$600.00 to open the South Harbour Channel. Motion carried.

Councillor Donovan indicated that he would like to see a history of funds provided to organizations in the County for the past number of years. Sandy Hudson indicated the list could be provided as part of the budget process and it was indicated that the list be for amounts over \$1,000.00.

The priority list for capital projects was questioned. How this list was developed and the projects included on the list were discussed. The list was approved by Council and is contained in the minutes. It will be provided for a future meeting.

District #6

Councillor Dauphinee advised of a seniors' Session that will be held on April 8, 2010, at the Coastal Waters Restaurant, Ingonish. The RCMP will be in attendance to talk to the seniors and a lunch will be provided. Councillor Dauphinee is looking at various avenues to assist with payment of the session, but requested permission to take the funds out of his district budget if required. Permission was given.

A letter was received from Ski Cape Smokey Society requesting the Municipality to consider a one time operating subsidy of \$50,000.00. This would ensure that the assets (\$3 million plus) remain intact in Victoria County and provide the resources needed to create employment and future economic development.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that the Ski Cape Smokey Society's request for a \$50,000.00 operating subsidy be referred to budget talks. Motion carried.

District #5

Deputy Warden Patterson advised that the Ross Ferry Stewardship Society received \$15,000.00 from MB2 in conjunction with their involvement with the Tar Ponds. The funding will be used to construct a playground at the Ross Ferry Marine Park. This funding will cover the cost of the equipment, but the cost of installation is over and above this amount and they are requesting assistance from the Municipality.

It was moved by Deputy Warden Patterson, seconded by Councillor MacCuspik, that the allocation of \$5,000.00 for the Ross Ferry Marine Park be referred to budget. Motion carried.

Deputy Warden Patterson presented information on the “Silver Economy Summit” to be held on May 13 and 14, 2010. The deadline for registration is April 22, 2010, and he expressed an interest in attending as it deals with issues surrounding seniors. There may be a possibility that he can attend as a representative of the UNSM, as he is member of the Aged Friendly Communities Committee, but if not he requested permission to attend as a representative from Victoria County.

It was moved by Councillor MacCuspig, seconded by Councillor MacInnis, that Deputy Warden Patterson be authorized to attend the “Silver Economy Summit”. Motion carried.

District #3

Deputy Warden Patterson assumed the Chair.

It was moved by Warden Morrison, seconded by Councillor MacCuspig, that a letter be forwarded to David MacDonald, a member of the Saint Mary’s Huskies Hockey Team, on winning the Canadian Interuniversity Sport (CIS) University Cup Championships. Motion carried.

It was moved by Warden Morrison, seconded by Councillor Dauphinee, that a letter be forwarded to the Village of Baddeck requesting they consider locating a fire hydrant at the rear of the Monty Nicholson property on Baddeck Bay Road. Motion carried.

Warden Morrison indicated that the Victoria Highland Civic Centre are requesting financial assistance in the amount of \$25,000.00 towards the cost of the installation of new boards.

It was moved by Warden Morrison, seconded by Councillor Dauphinee, that the Victoria Highland Civic Centre’s funding request be referred to budget. Motion carried.

Warden Morrison returned to the Chair.

CORRESPONDENCE

1. Letter from Erin Phillips, Supervisor, Victoria County Library Services, Cape Breton Regional Library, requesting that library services be included in future revisions of the Economic Development Strategy.

It was moved by Councillor MacInnis, seconded by Councillor Dauphinee, that the services provided by the branch libraries located in Victoria County be included in the Economic Development Strategy. Motion carried.

2. Correspondence from the Early Childhood Resource Centre requesting that June, 2010, be proclaimed as “Child Care Awareness Days Month” in Victoria County.

It was moved by Councillor MacNeil, seconded by Councillor Donovan, that June, 2010, be proclaimed as “Child Care Awareness Days Month” in Victoria County. Motion carried.

3. A letter was received from John Bain, Director, Eastern District Planning Commission, requesting Council to make staffing appointments for 2010-2011.

It was moved by Councillor Dauphinee, seconded by Councillor MacCuspic, that the following appointments be approved by Council:

- **Administrator – Dangerous and Unsightly Premises – John Bain
Brad Parks, Alternate**
- **Building Inspector – David MacKenzie
Cyril LeBlanc, Alternate
Leon LeBlanc, Alternate
Harry Martell, Alternate**
- **Development Officer – Karl Grenke
John Bain, Alternate
Wanda Ryan, Alternate
Andrew Jones, Alternate**
- **Fire Inspector – Cyril LeBlanc
David MacKenzie, Alternate
Leon LeBlanc, Alternate**

Motion carried.

4. Correspondence from the Cape Breton District Health Authority regarding National Immunization Awareness Week.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that April 24-May 1, 2010, be proclaimed “National Immunization Awareness Week” in Victoria County. Motion carried.

5. Correspondence regarding “Move For Health Day” sponsored by Public Health Services, Heart and Stroke Foundation, ACAP Cape Breton and Nova Scotia Health Promotion and Protection.

It was moved by Councillor MacNeil, seconded by Councillor MacCuspic, that May 10, 2010, be proclaimed “Move For Health Day” in Victoria County. Motion carried.

VICTORIA COUNTY STRATEGIC PLAN

Sandy Hudson advised that interviews were held for the Economic Development Officer position. The interviews were conducted by Eileen Oldford, CBCEDA, and Sandy Hudson. An offer was made to the number one candidate and to date the individual has not notified Mr. Hudson with regard to accepting the position.

RECYCLING SLOGAN CONTEST

The Municipality requested students to submit a slogan to promote recycling/waste reduction in Victoria County. The winning submission will appear on the new County waste collection vehicles. A large number of entries were received and after review, the entry submitted by Michaela MacMillan, a Grade 6 student at Rankin School of the Narrows, was selected as the winner.

It was moved by Councillor Donovan, seconded by Councillor MacNeil, that Michaela MacMillan receive \$50.00 for the winning entry and the school, Rankin School of the Narrows, receive \$100.00. Motion carried.

ACTING CHIEF ADMINISTRATIVE OFFICER

Sandy Hudson will be on vacation for the month of April and as a result he requested Council to approve Heather MacLean as Acting CAO for the month.

It was moved by Councillor Donovan, seconded by Councillor MacInnis, that Heather MacLean be appointed Acting Chief Administrative Officer for the month of April, 2010. Motion carried.

NEXT MEETING

Victoria County Municipal Council will meet on April 12 and April 26, 2010, at 5:00 p.m. at the Court House, Baddeck.

Staff Sgt. Archie Thompson will be invited to provide an update at the April 12, 2010, meeting if he has new information available.

Councillor MacNeil indicated that the Rail America Group may want to make a presentation also and he would check on this matter and advise if they wish to appear.

IN CAMERA MEETING

It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that Council move In Camera. Motion carried.

It was moved by Councillor Donovan, seconded by Councillor MacCuspic, to come out of In Camera and return to regular session. Motion carried.

ADJOURN

There being no further business, on motion of Councillor MacLellan, the meeting adjourned at 8:20 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO