

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**September 13, 2010**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, September 13, 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

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

**CALL TO ORDER/APPROVAL OF AGENDA**

The agenda was presented for approval.

**It was moved by Councillor MacCuspic, seconded by Councillor Donovan, that the agenda be approved as presented. Motion carried.**

**MOMENT OF SILENCE – FORMER COUNCILLOR ROBERT MACLELLAN**

Warden Morrison requested all in attendance to stand and observe a moment of silence in memory of former Councillor, Robert MacLellan.

An appropriate donation will be made in Robert MacLellan's memory to the North of Smokey Palliative Care.

**GARY WALSH, CABOT TRAIL WRITERS FESTIVAL**

Courtesy of Council was extended to Gary Walsh who was in attendance on behalf of the Cabot Trail Writers Festival.

Mr. Walsh advised that the 2<sup>nd</sup> Cabot Trail Writers Festival will be held from October 1-3, 2010, in North River. The idea of the festival came about a few years ago and the first festival held last year proved to be very successful with over 400

participants, some from Australia, Texas, British Columbia, Ontario and various other areas. As a result of last year's success, a bigger festival has been planned and it is anticipated that approximately 600 participants will attend.

Mr. Walsh outlined the plans for this year's Writers Festival. The North River Hall will be the main venue for the three day festival. St. Andrew's Church Hall will be the location for the book fair and café on Saturday, October 2, 2010. Bev Brett has been commissioned to write, stage and hire actors for a Saturday night tribute to Alistair MacLeod. Sheree Fitch will be conducting a writing workshop with a number of students at Baddeck Academy. Michael Crummey and Marq deVilliers will be two noted authors in attendance. Musician Carmel Mikol and the Band, Rocky Shore, will participate in the Festival.

Mr. Walsh advised that Cape Breton University (CBU) have come on board and will be sending a professor to the North River Hall in late October, early November to offer a 6 hour writing workshop. CBU have also committed to offering credit courses in the local area.

Funding for the Cabot Trail Writers Festival has been received from the Canada Council, CBU, ECBC, Keith Bain MLA, and various other contributors. Mr. Walsh indicated that the production cost for the play alone is \$6,000.00. He requested that the Municipality consider providing funding for the Festival.

Mr. Walsh indicated that the Festival has a significant economic impact for Victoria County and the long term plans are that the Cabot Trail Writers Festival be an annual event.

Warden Morrison questioned on the amount of funding being requested from the Municipality and Mr. Walsh indicated that they would like to receive \$6,000.00 as a sponsorship for the Saturday night play,

Deputy Warden Patterson indicated that the 2010/2011 budget has been set and requests for funding have been dealt with during the budget process. In future a policy will establish an April 1 deadline for applying for funding from the Municipality.

The school workshop being held at Baddeck Academy was discussed and it was questioned that in the future could it be expanded to include the two other high schools in Victoria County. Also whether students from other schools could participate in the Baddeck session this year was questioned and Mr. Walsh indicated that this would be something that would have to be addressed with the school and teacher, Marlene MacLean.

Councillors offered their congratulations and best wishes for the continued success of the Festival.

Sandy Hudson questioned on whether the Cabot Trail Writers Festival is an incorporated body and Mr. Walsh indicated that at present, they are under the umbrella of the St. Ann's Bay Development Association and have plans to set up their own society next year.

Mr. Walsh was extended a vote of thanks for his presentation and he was advised Council would discuss the funding issue later in the meeting and advise him of the decision tomorrow.

**PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED MARCH 31, 2010**

Courtesy of Council was extended to Grant Burgess, C.A., Grant Thornton LLP Chartered Accountants, who presented the Draft Non-Consolidated Financial Statements for the Municipality of the County of Victoria for the year ended March 31, 2010.

Mr. Burgess indicated that the statements are in draft form, and when other necessary information is compiled, the consolidated statements will be completed. As a result, he requested that the draft statements presented be returned to him at the end of the presentation.

Mr. Burgess then reviewed the draft financial statements in detail with Council. He reported that the Municipality ended the year with an operating surplus of \$26,984, based on a total budget of approximately \$9.7 million.

Mr. Burgess indicated that overall the Municipality had a good year; however there were three items he wished to bring forward to Council.

The first issue is tax receivables. The percentage of tax receivables has increased this past year and is now at 21%. The average percentage for tax receivables for rural municipalities in Nova Scotia is in the 9 to 11% range. Mr. Burgess indicated that the outstanding receivables should be in the \$700,000 to \$800,000, when it is \$1,466,000. Work should be done to get the receivables to acceptable level. Aggressive tax collection should continue and the scheduling of regular tax sales should be a priority.

The IT system currently in place is also an issue that must be addressed. At present the system is being supported by one person and this puts us at risk should something happen to this individual. The financial reporting system is too important not to be looked at and the security of the data is critical. It was indicated that discussions

are ongoing with regard to this issue with other municipal units who face the same circumstances.

The third issue is the Victoria County Water Utility. In May, 2009, the four existing water utilities were combined into one Utility. The Water Utility generated a profit this past year and this profit should come back to the Municipality. In the past, budgets were not done for the water utilities. Mr. Burgess is recommending that now that one year of good data is available for the Victoria County Water Utility, that a budget be drafted for the Victoria County Water Utility for the 2011-2012 fiscal year. Mr. Burgess encouraged the Municipality to do regular water rate studies for the Utility every 3 to 4 years.

A general discussion took place and Mr. Burgess answered various questions related to the draft financial statements.

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

Mark Peck, Municipal Advisor, who was in attendance, congratulated Council on a very successful year.

### **RECESS**

Warden Morrison announced that Council would recess for ten minutes.

### **NONA MACDERMID, SUSTAINABLE DEVELOPMENT OFFICER**

Courtesy of the meeting was extended to Nona MacDermid. Ms. MacDermid has recently accepted a one-year contract position with the Municipality to carry out economic development duties for the Municipality.

Ms. MacDermid is a Victoria County native, having grown up on the North Shore, and is currently a resident of Sydney Mines. She indicated that she lived by the adage that “life without challenge, is life without opportunity” and she looks forward to the challenges ahead in carrying out the duties of sustainable development for the Municipality.

She outlined to Council how she foresees this contract position and she indicated that the Economic Action Plan Session to be held on September 20, 2010, will provide a good opportunity to come up with a list of doable, measurable goals and then proceed from there.

Ms. MacDermid indicated that she looks at this task as an adventure and will approach it as such and look at new and fascinating ways to achieve results. She indicated that she sees the local communities as an integral starting point and indicated that she would like to spend at least one day with each Councillor getting to know their districts, communities and perspectives.

Discussion took place and Ms. MacDermid indicated that with creativity, good business and change management techniques and clear, definable actions, she feels success can be achieved.

A general discussion took place and Councillors expressed their welcome to Ms. MacDermid and indicated they looked forward to working with her.

Ms. MacDermid indicated that she would be working from an office at the Court House, other offices and on the road at times. She will be attending the Annual General Meeting of the Regional Development Authorities Association in later September. She advised that in her consulting business she has one current client from Victoria County that she will be retaining, but indicated she would not accept any new clients from Victoria County while under contract with the Municipality.

Council will be provided with contact information for Nona MacDermid as soon as possible.

Warden Morrison expressed a vote of thanks to Ms. MacDermid and she left at this time.

#### **APPROVAL OF MINUTES – AUGUST 23, 2010**

The minutes of the August 23, 2010, session of Victoria County Municipal Council were presented for approval.

**It was moved by Deputy Warden Patterson, seconded by Councillor Donovan, that the Victoria County Municipal Council minutes of August 23, 2010, be approved as presented. Motion carried.**

#### **BUSINESS ARISING FROM MINUTES**

##### **Highland Manor**

An update was provided on the Highland Manor matter.

##### **Neil's Harbour Waterline Extension**

Councillor Donovan questioned on the status of the investigation on the Neil's Harbour waterline extension. Sandy Hudson advised that the approximate cost is estimated to be in the \$300,000.00 range.

**Keltic Lodge**

Letters concerning the Keltic Lodge operations have been forwarded to the Minister of Tourism; Deputy Minister of Tourism; Premier and Deputy Premier. Copies will be provided to Council.

**Solid Waste Collection**

James Dixon has been hired as a Solid Waste Collection Helper and is travelling to Baddeck three days per week, one day to Ingonish and one day to Englishtown.

**Cape Breton Island Marketing Levy**

A letter was received from Demetri Kachafanas, Assistant Regional Solicitor for the Cape Breton Regional Municipality (CBRM), indicating that following meetings between CBRM and Destination Cape Breton, CBRM will not be proceeding with a common by-law with the three participating municipal units, and that Destination Cape Breton will deal with each municipality individually.

CBRM staff will be submitting a draft by-law to their Council for first reading this month.

Discussion took place on this matter. Concern was expressed why this action was taken and why other participating units were not consulted.

**It was moved by Deputy Warden Patterson, seconded by Councillor Dauphinee, that a letter be forwarded to Destination Cape Breton Association seeking clarification on the action taken with CBRM regarding the Marketing Levy By-Law. Motion carried.**

**DECLARATION OF VACANCY – DISTRICT #8**

**It was moved by Councillor Donovan, seconded by Councillor MacInnis, that the District #8 seat on Victoria County Municipal Council be declared vacant. Motion carried.**

**DISTRICT #8 BY-ELECTION**

Discussion took place on the date for the District #8 By-Election. An election must take place within 11 weeks after declaring the seat vacant.

**It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that the date for the District #8 By-Election be November 20, 2010, with advance polls held on November 13 and 18, 2010, and nominations closing on October 26, 2010. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor Donovan, that Sandy Hudson, CAO, be the Returning Officer for the District #8 By-Election. Motion carried.**

### **POLICY REVIEW**

#### **Community Grants Application Policy**

The draft Community Grants Application policy was submitted to Council for review at the last meeting. Council felt that the total funding included in the draft of one percent of the general tax revenue was too low. It was also felt that there should be a provision included in the policy allowing Council to consider funding requests after the deadline in certain circumstances.

### **DISTRICT CONCERNS**

#### **District #5**

Deputy Warden Patterson advised that he submitted an application under the Environmental & Sustainable Roundtable Program.

Deputy Warden Patterson indicated that during the recent Hurricane Earl, the phone outage that occurred left residents of his area unable to contact emergency services, etc. The battery backup system appears to be inadequate.

**It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that a letter be forwarded to Kevin Hashem, Bell Aliant, concerning the recent phone outage in District #5 questioning on the battery backup system in place. Motion carried.**

#### **District #6**

Councillor Dauphinee advised that the HMCS Ingonish bell ceremony will be held on Remembrance Day in Ingonish.

The Northeast Highland Chamber of Commerce will be holding the fall classic golf tournament at the Highland Links on September 29, 2010, and are looking for sponsorship from the Municipality.

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the same level of sponsorship as provided last year be approved for this year's Northeast Highland Chamber of Commerce Golf Classic. Motion carried.**

**District #7**

Councillor Donovan questioned on derelict vehicles. He indicated that an application for funding through the RRFB was not submitted last year. He felt that if funding was available, the Municipality should make application to apply for same.

Discussion took place on a derelict vehicle program and it was indicated that development of a derelict vehicle policy is something that should be considered.

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that the Municipality submit an application to the RRFB for funding for derelict vehicle removal. Motion carried.**

Councillor Donovan indicated that over the past two weeks, the power in the northern area of the County has gone out of service for a significant amount of time on six occasions.

**It was moved by Councillor Donovan, seconded by Councillor MacInnis, that a letter be forwarded to the President of Nova Scotia Power expressing concern on the deterioration of services in Victoria County. Motion carried.**

Councillor Donovan indicated that during the recent washout in Capstick/Meat Cove, a resident of Capstick expressed concern that she had to go to Meat Cove in order to contact the Victoria County Emergency Measures Coordinator. Sandy Hudson will contact the EMC to discuss this matter.

**It was moved by Councillor Donovan, seconded by Councilor Dauphinee, that an order be placed with NSPI for the location of a streetlight at 87 White Point Road, Effie's Brook, and to assume payment of a existing streetlight at 36432 Cabot Trail, Ingonish, and have the light turned to face the roadway. Motion carried.**

**District #4**

Councillor MacInnis indicated that when Cape Breton Explorations Ltd. made the presentation to Council, mention was made of the Churchill Falls Energy Project and where it would come ashore in Cape Breton.

**It was moved by Councillor MacInnis, seconded by Councillor MacNeil, that a letter be forwarded to the Minister of Energy inquiring on where the Churchill Fall Energy Project will come ashore in Cape Breton. Motion carried.**

Councillor MacInnis questioned on the fire department fund and reimbursement for communications equipment. Council had approved two Council members to sit down with appointed representatives from the fire departments on the priorities for the fire departments and how the funding would be spent. To date, this has not taken place. Sandy Hudson advised that prior to paying invoices, the Municipality would like approval in writing, by way of minutes or some other means.

Councillor MacInnis indicated he would check on this matter with the Chief Fire Officers.

Councillor MacInnis will contact Steve MacDonald, Area Manager, Department of Transportation and Infrastructure Renewal in regard to the possibility of installing a flashing amber light at the Exit 11 intersection.

Councillor MacInnis indicated that he received condolences on Councillor MacLellan's passing from two residents of his district.

### **District #1**

Councillor MacNeil indicated that the grader has not come to the area to do the back roads in District #1 as yet and he questioned whether the letter was forwarded to the Department of Transportation. Sandy Hudson will check on this matter.

Councillor MacNeil also mentioned the possibility of a flashing amber light at Exit 6 at the turnoff to Little Narrows. Councillor MacInnis will bring this matter forward to Steve MacDonald when he contacts him with regard to the request for Exit 11.

Victoria County Municipal Council will meet at the Rankin School of the Narrows, Iona, on September 27, 2010, at 5:00 p.m. A tour of the sports field will take place at 4:00 p.m. prior to Council, followed by supper at 4:30 p.m.

### **District #3**

Deputy Warden Patterson assumed the Chair.

The “Ride for the Cure” will be held on September 18, 2010, and will be making stops in both Baddeck and Ingonish on the ride.

**It was moved by Warden Morrison, seconded by Councillor MacNeil, that a \$500.00 donation be approved for the “Ride for the Cure”. Motion carried.**

Warden Morrison updated on the Village of Baddeck Water Project and indicated that wells have been drilled on Crown Land in Big Baddeck. The yield of the wells is satisfactory and they would now like to begin negotiations to do a land exchange with the Crown for these lands.

**It was moved by Warden Morrison, seconded by Councillor MacNeil, that negotiations be initiated with the Crown to carry out a land exchange for the Crown lands in Big Baddeck with County owned lands, for the Village of Baddeck Water Project. Motion carried.**

Warden Morrison stated that the Auditors report received earlier in the meeting indicated the importance of collecting outstanding tax receivables. As a result, he felt that regular tax sales should be conducted.

**It was moved by Warden Morrison, seconded by Councillor Donovan, that three (3) tax sales be held annually. Motion carried.**

**It was moved by Warden Morrison, seconded by Councillor Dauphinee, that the preparation of an annual budget for the Victoria County Water Utility be initiated for the 2011-2012 fiscal year. Motion carried.**

### **District #2**

Warden Morrison, on behalf of Councillor MacCuspic, presented a petition for signatures asking the provincial government to make available angioplasty to repair blood flow problems (CCSVI) for Multiple Sclerosis sufferers in Nova Scotia.

**It was moved by Warden Morrison, seconded by Councillor Donovan, that \$2,550.00 be approved from the District #2 budget for property tax relief for the Middle River Community Hall. Motion carried.**

**It was moved by Warden Morrison, seconded by Councillor MacNeil, that a petition requesting a road name change from 5444 Road, Nyanza, to “Bhreach Oban Lane” be tabled and forwarded to the Eastern District Planning Commission and Department of Transportation for approval. Motion carried.**

**It was moved by Warden Morrison, seconded by Councillor MacInnis, that a letter be forwarded to the Village of Baddeck requesting that the broken waterline behind the Terry Kelly residence on Shore Road, Baddeck, be repaired as soon as possible. Motion carried.**

Warden Morrison returned to the Chair.

**CABOT TRAIL WRITERS FESTIVAL**

**It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that \$3,000.00 be approved for the Cabot Trail Writers Festival. Motion carried.**

**CAPE BRETON CATALOG**

Ron Caplan, Cape Breton Catalog, was in attendance and he requested Council to consider advertising in the Cape Breton Catalog as has been done for the past number of years. The cost of the ad is \$1,500.00 and the catalog will have coverage of 35,000.

**It was moved by Councillor MacInnis, seconded by Councillor Donovan, that the Municipality advertise in the Cape Breton Catalog at a cost of \$1,500.00. Motion carried.**

**CORRESPONDENCE**

1. Information on the New Horizons for Seniors Program. The deadline for application for this program is October 8, 2010.
2. Letters concerning Highland Manor were received from Premier Darrell Dexter and John Malcom, CEO, Cape Breton District Health Authority.
3. Thank you from Lars Willum for the funding received for his cookbook project.

**MEAT COVE/CAPSTICK**

Sandy Hudson advised that as a result of the flooding in the Meat Cove/Capstick area, the Department of Transportation and Infrastructure Renewal have agreed to facilitate an employment program for residents of the area. The Province will contribute \$15,000.00, Inverness County \$7,500.00 and \$7,500.00 is being requested from Victoria County. The funding will be channeled through the Meat Cove Development and CAP Association and will be used for employment for residents of Meat Cove and Capstick in conjunction with the clean up.

**It was moved by Councillor Dauphinee, seconded by Deputy Warden Patterson, that the Municipality contribute \$7,500.00 in support of the employment program for residents of Capstick and Meat Cove. Motion carried.**

**ECONOMIC DEVELOPMENT ACTION PLAN**

Gordon McIntosh, LGL Institute, will be facilitating an Economic Development Action Plan session on Monday, September 20, 2010, at the Inverary Resort beginning at 8:30 a.m.

**UNION NEGOTIATIONS**

Negotiations with CUPE Local 2694 will resume on September 16 and 17, 2010.

**COURT HOUSE RENOVATION PROJECT**

Sandy Hudson advised that the hand rail to the second level Court Room level is not up to code and an inspection that was completed indicates it must be at a higher level. In doing this work, Mr. Hudson also indicated that he would like to have the carpet removed from the Court Room and hardwood flooring installed and at some point in the future, something done with the paneling in the Court Room area.

Discussion took place on wheelchair accessibility to the second level.

It was felt that the hardwood flooring that will be purchased should be sourced from the local Victoria County manufacturer, Finewood Flooring.

**HEART FUNCTION CLINIC**

Councillor MacNeil questioned whether the donation was sent to the Heart Function Clinic. This matter will be investigated.

**NEXT MEETING**

The next meeting of Victoria County Municipal Council will be held on Monday, September 27, 2010, at the Rankin School of the Narrows, Iona, beginning at 5:00 p.m.

Robert Dauphinee will be in attendance to update on solid waste matters.

**ADJOURN**

There being no further business, on motion of Councillor MacInnis, the meeting adjourned at 8:15 p.m.

**Bruce Morrison, Warden**

**Sandy Hudson, CAO**