

VICTORIA COUNTY MUNICIPAL COUNCIL
November 28, 2011

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, November 28, 2011, 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 – Johnny Buchanan

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. Two additions were made to the agenda – an In Camera Session and the Cape Breton-Victoria Regional School Board.

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

AMENDMENTS TO BADDECK MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW

A public hearing was held prior to Council on two applications for proposed amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law.

It was moved by Councillor MacInnis, seconded by Councillor MacCuspic, that the application for amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law by Graham MacKenzie requesting to re-designate and rezone a property on Shore Road, Baddeck, from residential to commercial to permit a retail store be approved. Motion carried.

It was moved by Councillor MacCuspic, seconded by Councillor MacInnis, that Valerie Sampson's application for proposed amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law to permit professional offices in the area designated residential urban on the Big Baddeck Road be approved. Motion carried.

Beth Schumacher, Planner with the Eastern District Planning Commission, indicated that the amendment approvals will be forwarded on to the Province and the applicants will be advised when notification of approval is received from the Province.

At the public hearing, concern was indicated that the adjacent property owners were not personally notified of the applications for amendment.

It was moved by Councillor MacCuspic, seconded by Councillor MacInnis, that a policy be adopted that, in future, adjacent and surrounding property owners be notified by registered letter of applications for amendment to the Baddeck Municipal Planning Strategy and Land Use By-Law. Motion carried.

STEPHEN MACDONALD, AREA MANAGER, DOT&IR

Warden Morrison extended the courtesy of Council to Stephen MacDonald, Area Manager, Department of Transportation and Infrastructure Renewal.

Mr. MacDonald indicated his pleasure on appearing before Council again and provided a summary of happenings within the Department.

Capital projects in progress include the 7 km. stretch of the Trans Canada 105 east of the Seal Island Bridge and a 6 km. section on the Cabot Trail in the North Shore. Both these projects should be completed within the next week. A 5 km. section of Route 223 is in progress and the last coat of asphalt should be applied this week and with the finish work, this project should be completed within the next couple of weeks.

Three sections of the Trans Canada Highway have been micro-sealed. Corson's Bridge was opened in June, 2011. A contract for armour rock was awarded to D. W. Matheson & Sons Contracting and three sites in Victoria County will be completed.

The storm damage sites are in the process of being completed and some of the work may be carried over until next year as there is a two year period for completing work under the Disaster Relief Program.

Mr. MacDonald reported on the RIM work completed in the Municipality. The two new Victoria County signs were erected at both entrances to the Municipality on the Trans Canada Highway.

Mr. MacDonald indicated that his door is always open and he welcomed contact from Council members on any issues they wish to discuss. He indicated that budget wise, he divides the funds equally among the supervisors and there was a reduction in budget this year. He advised that he always tries to do the best with the budget provided.

Councillor MacInnis expressed appreciation for the work being done in the Ski Dhu/Little River area, but he questioned on the number of Department of Transportation staff on site overseeing the project. He questioned whether cameras in the worksite could be utilized instead of staff. Mr. MacDonald indicated that this is a capital project supervised by Jamie Chisholm, but he indicated that in projects such as this there are multiple units of activity and each activity must be watched to ensure it is being done according to the contract. He indicated he would speak with Mr. Chisholm on this matter.

Councillor MacInnis also expressed concern with the actions of employees on this project when it comes to the disposal of waste from drinks, their lunch, etc. They leave their debris on the roadside and he questioned whether there could be designated garbage disposal sites on the project where staff can dispose of their debris. Mr. MacDonald indicated that this is a valid concern which he will discuss with the contractor and staff and maybe proper waste disposal could be incorporated in future construction projects.

Councillor MacCuspic questioned on the repaving of roads and whether they are re-evaluated each year. Mr. MacDonald advised that roads are identified and prioritized. He indicated that all Directors throughout the Province will be meeting in Halifax tomorrow with their district priorities. He advised that the West Side Middle River Road is on the list.

Councillor MacNeil thanked Mr. MacDonald for the work done in District #1 and questioned on the paving project in the Ottawa Brook/Jamesville area. There is a concern with the materials used and he questioned on whether there was a requirement for testing material before it is used. Mr. MacDonald indicated that he would check with the Project Engineer for this project in this regard and also find out information on the end product specifications and warranty.

Discussion took place on the Washabuck and Grass Cove Roads and Mr. MacDonald explained the criteria for scoring roads. It appears that rural roads score lower because of traffic volumes.

Councillor MacNeil indicated that during the recent storm, the Barra Glen Road was not plowed until 6:00 p.m. the next day and he felt this was not acceptable. Mr. MacDonald indicated that the Department policy allows for a period of 24 hours after a storm ends to have roads cleared. He indicated that he was pleased with the snow removal efforts in Victoria County. Ninety percent of the equipment was ready and the

maintenance efforts worked well he felt. The winter staff will not start work until this coming weekend, so the efforts by the summer staff were to be commended.

Mr. MacDonald indicated he would send out a copy of the policy with regard to snow and ice removal to Council for their information.

Councillor Buchanan requested an update on the bridge on South Ridge Road. Mr. MacDonald indicated that the design for the repairs is still underway. The structural department has inspected the bridge and one of the supporting piers is compromised. Different plans are being considered for the bridge repair, but a commitment has not been received as to how to proceed as yet.

The condition of the South Ridge Road was discussed and Councillor Buchanan indicated that the road is in bad shape. The guardrail and culvert on the road needs replacement.

Councillor Donovan questioned on the possible location of the asphalt plant in his area next season. Mr. MacDonald indicated he would know more on this issue after the Halifax meeting tomorrow as the meeting is related to paving priorities.

The trimming and armour stone placement below Highland Manor was discussed. Councillor Donovan indicated that the armour stone placed was too small. The guardrail will be replaced within the next week or so.

Councillor Donovan indicated that during the recent storm, he felt that the Department were not prepared with salt and did not get it on the roadway early enough during the storm. He was stuck on the Smokey for an extended period and he felt it was imperative that a salt supply be closer to Cape Smokey.

Councillor Dauphinee expressed his pleasure on the opening of Corson Bridge and the culvert installed south of the bridge and the work done on the Beach Crossing Road. He expressed concern on the coastal areas being an issue. Some of the work done on the Beach Crossing Road has been compromised, especially in the area of McCurdy's turn. Concrete barriers will be placed there.

The five year plan on the Department was discussed and Councillor Dauphinee questioned why no paving was committed in 2015. The priority list is continually being reviewed and paving will be done in accordance with same.

The guardrail on the Philip's Nose turn on Smokey was discussed. This is the most dangerous turn on the road and the guardrail is not secure. Mr. MacDonald indicated that he has discussed this matter with the Supervisor and a decision will be made on what can be done in this area.

Deputy Warden Patterson questioned on the resources for snow clearing this season. The same resources in personnel remain for this winter and they have looked at ways to efficiently run operations. There are a number of initiatives such as salt management and a reduction in private sector equipment. Sanding will now be done in house. No equipment has been lost and the plow routes are in place.

Sandy Hudson questioned on the Dingwall Water supply when work is being done on the Aspy Bay Bridge. The waterline is attached to the bridge. Mr. MacDonald indicated he would contact Robert Dauphinee in this regard prior to any work being done.

Warden Morrison indicated that he would like to see MacKay Lane made a one way street traveling up and Cameron Street made a one way street traveling down. Mr. MacDonald indicated that Bernie Murphy is the traffic specialist and a letter to him from Council would be appropriate.

Councillor MacInnis questioned whether the possible placement of rotary cutters on excavators for cutting trees was considered. Mr. MacDonald indicated that capital equipment is purchased province wide and each year a particular piece of machinery is tendered to get better pricing.

After further discussion, Warden Morrison extended a thank you to Mr. MacDonald for being approachable and accessible and for his attendance at tonight's meeting.

Mr. MacDonald thanked Council for the opportunity and requested that they begin to think about next year's requests for the Department and he left the meeting at this time.

RECESS

Warden Morrison announced that Council would recess for 10 minutes.

APPROVAL OF MINUTES – NOVEMBER 7, 2011

The minutes of the November 7, 2011, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that the Victoria County Municipal Council minutes of November 7, 2011, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Former Rankin Memorial School Property

Sandy Hudson advised that he has not received a reply from Paul Oldford, Cape Breton-Victoria Regional School Board, with regard to the former Rankin Memorial School property.

Meeting With Minister Paris

The meeting with Tourism Minister Paris, concerning the Keltic Lodge property will be held in the New Year and it has been requested that the meeting be before any decision is made with regard to Signature Resorts.

DISTRICT CONCERNS

District #5

A petition was received to rename Private Road 6302, Boularderie Centre, to “Old Centre Post Wharf Road”. No objections were received from the Department of Transportation and Infrastructure Renewal or the Eastern District Planning Commission.

It was moved by Deputy Warden Patterson, seconded by Councillor MacCuspic, that the renaming of Private Road 6302, Boularderie Centre, to “Old Centre Post Wharf Road” be accepted. Motion carried.

District #6

Councillor Dauphinee advised that Ski Cape Smokey has been successful in acquiring funding to replace the roof of the Ski Lodge. This work will be tendered and completed as soon as possible.

Councillor Dauphinee questioned on the status of the lease agreement for the Baddeck Library and he was advised that it is now before the Library’s Building Committee.

District #7

Councillor Donovan reported on the meeting between the Councillors North of Smokey, the RCMP and other citizens concerning the arsons and crime in the northern area of the County. A suggestion of becoming involved in the Safer Communities initiative was brought up and a further meeting will be held on this matter and involvement will be sought from other agencies/individuals.

It was moved by Councillor Donovan, seconded by Councillor Buchanan, that a letter of congratulations be forwarded to the Organizing Committee of the North of Smokey Christmas Parade. Motion carried.

Councillor Donovan questioned on whether there was any reply to a request a couple of years back concerning the feasibility for seniors housing in the Municipality. A follow up will be made to see if there has been any information on this matter.

Councillor Donovan brought up the matter of turkeys for municipal staff. The Municipality will be hosting a Council/Staff Christmas Party at the Gaelic College on December 2, 2011, and Warden Morrison advised that he has another initiative he would be bringing forward with regard to assisting food banks this Christmas season.

District #8

Councillor Buchanan indicated that Nova Scotia Power visited the site for the installation of a street light on Dingwall Road, but the light has not been installed to date. This matter will be investigated with Nova Scotia Power.

Councillor Buchanan questioned whether there was an update on the Bay St. Lawrence water. Sandy Hudson advised that there is no further update at this time.

District #4

Councillor MacInnis indicated that an announcement has been made that the Lower Muskrat Falls project will be landed in Cape Breton and the locations being considered at Point Aconi, Lingan and Wreck Cove. He felt we should push to have Wreck Cove the location.

It was moved by Councillor MacInnis, seconded by Councillor Donovan, that a letter be forwarded to Premier Darrell Dexter seeking an update on Wreck Cove's status with regard to the Lower Muskrat Falls Power Project and express the Municipality's wishes to have the project come ashore in our County. Motion carried.

The wind power initiative now being considered for Inverness County was discussed. The Eastern District Planning Commission is holding open houses on this initiative and further information can be obtained on their website – www.edpc.ca.

Councillor MacInnis brought up the matter of solid waste disposal and discussions with John Kearns. Sandy Hudson advised that municipal solid waste must be disposed of at an approved second generation landfill facility and the County has a 20 year contract with the Municipality of the District of Guysborough.

District #2

Councillor MacCuspig brought up the matter of construction and demolition materials at the Baddeck Municipal Solid Waste Facility. He questioned whether there was any way to recycle some of this material as there is a lot of wood going to waste that could be used by the public.

Discussion took place and this matter is to be referred to Robert Dauphinee, Director of Public Works.

Councillor MacCuspig brought up the matter of the website and indicated that the Unimaki Institute of Natural Resources has a Word Press site hosted by Seaside Cable that is very high quality. Sandy Hudson advised that a committee is reviewing our present website and will be presenting their report in the near future.

District #1

It was moved by Councillor MacNeil, seconded by Councillor MacInnis, that a letter be forwarded to the Honourable Bill Estabrooks, Minister of Transportation and Infrastructure Renewal, expressing our concern with the standard of work and quality of materials used on the paving project in the Ottawa Brook/Jamesville area. Motion carried.

District #3

Deputy Warden Patterson assumed the Chair.

It was moved by Warden Morrison, seconded by Councillor MacNeil, that a letter be sent to Stephen MacDonald, Area Manager, DOT&IR, requesting that Traffic Control investigate the possibility of making MacKay Lane, Baddeck, a one way street travelling upward and Cameron Street, Baddeck, a one way street travelling downward. Motion carried.

The Baddeck Christmas Parade will be held on Saturday, December 3, 2011, at 1:00 p.m. Councillors who are able to attend are to be at Baddeck Academy at 12:30 p.m. to go on the County float.

Warden Morrison brought up the possibility of contributing to the Feed Nova Scotia Food Bank. He heard a report on CBC that indicated that there are 16 food banks in Cape Breton and that .6% of the funding received is from Cape Breton, while 9.7 of the proceeds are distributed in Cape Breton. He thought it would be a nice gesture, instead of staff receiving turkeys, to contribute to the food bank.

It was agreed that each Council member donate \$125 from their district budget to enable a \$1,000.00 donation to Feed Nova Scotia.

Warden Morrison assumed the Chair.

District #7

Councillor Donovan indicated that back in August, the Royal Canadian Legion Branch 105, sent a bill for two Remembrance Day wreaths at \$45 each and the bill has not been paid. This matter will be investigated.

Councillor MacNeil indicated there would also be a bill for the Royal Canadian Legion in Iona for a wreath.

COMMITTEE REPORTS

Age-Friendly Communities

Deputy Warden Patterson advised that the Age-Friendly Communities Advisory Committee met on November 18, 2011, to review the summary of the consultations held throughout the County. This was the first look at the report as a Committee and he indicated that there would be more to report after the holidays.

CORRESPONDENCE

1. Application from Monica Hogan, Cabot Junior/Senior High Girls Basketball, for funding to assist with provincials was received by Vince Forrestall.

This application should be forwarded to Tom Wilson, Director of Recreation and Tourism.

2. A request was received from Cape Breton Island Pathways for funding to assist with gaps in the Trans Canada Trail. \$5,000.00 is being requested from the Municipality.

Clarification is required on which fiscal year the funding is being requested. This request will be then referred to budget.

3. A letter was received from John Bain, Eastern District Planning Commission, advising that the Planning Commission project a deficit as a result of a decrease in building permit fees. An Audit Committee comprised of CAOs from the member units met and are recommending this deficit be cost shared. The Municipality's share of the deficit is \$9,500.00.

It was moved by Councillor Dauphinee, seconded by Councillor MacCuspic, that the Municipality provide their share of the Eastern District Planning Commission's deficit at a cost of \$9,500.00 to the end of the fiscal year 2011/2012. Motion carried.

4. Correspondence was received from David Muise, Solicitor for the Cape Breton-Victoria Regional School Board, concerning an application they are submitting the UARB for an increase of one member in the CBRM area for the School Board. They are requesting Council's support of the application and population, electoral, and voter numbers, as well as a description of the polling districts in Victoria County. Victoria County's representation on the Board will remain unchanged at two members.

It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that the Municipality not provide support for the application for the extra school board member due to declining enrollments and reduced budgets and that it is felt there is no justification for an increase in the size of the Board. Motion carried.

5. The Collective Agreement between the Municipality of the County of Victoria and CUPE Local 2694 is now complete and is ready for execution. The Warden and CAO were authorized to sign the agreement.
6. Sandy Hudson advised that he received a request for a purchase order for the purchase of green gym equipment for all districts of the Municipality.

Information on the green gym technology was brought to the last meeting and referred to Vince Forrestall to look into same. No agreement has been made to purchase any equipment as nothing has been approved as yet.

IN CAMERA

It was moved by Councillor Dauphinee, seconded by Councillor MacCuspic, to move In Camera. Motion carried.

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

REFER TO SOLICITOR

It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that both matters discussed In Camera be referred to the Solicitor. Motion carried.

ADJOURN

There being no further business, on motion of Councillor MacNeil, seconded by Councillor MacCuspik, the meeting adjourned at 7:20 p.m.

Sandy Hudson, CAO

Bruce Morrison, Warden