

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**March 12, 2012**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, March 12, 2012, 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 #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

Absent was:

District #4 – Merrill MacInnis (Out of Town)

**CALL TO ORDER/APPROVAL OF AGENDA**

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

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

**MOMENT OF SILENCE – AUSTEEN MUNROE**

Warden Morrison asked Council to stand and observe a moment of silence for Austeen Munroe, former municipal employee from 1980 to 2011.

**LFA 27 MANAGEMENT BOARD**

Courtesy of Council was extended to Veronika Brzeski who was in attendance to make a presentation on behalf of the LFA 27 Management Board (copy attached).

The LFA 27 Management Board was incorporated in early 2010 as a non-profit organization striving towards the sustainability of the lobster fishery. LFA 27 covers the

ports between and including Bay St. Lawrence and Gabarus and has 484 license holders who fish out of the Maritimes Management Region, approximately ½ of which are from Victoria County.

In 2010, LFA 27 Management Board accessed funding from Department of Fisheries and Oceans and Ms. Brzeski outlined that year 1 consisted of consultations and communications and year 2 was geared to research which included at-sea lobster and by-catch sampling (22 trips) and larval tows (10 trips). She outlined the plans for 2012 which include an economic analysis of the lobster industry, additional at sea lobster and by-catch sampling, more larval tow sites and lobster tagging.

Ms. Brzeski advised that the LFA 27 Management Board is requesting financial assistance from the Municipality to assist the work they are doing to ensure that the lobster fishery is sustainable. The request for funding is \$5,000 per year for a two year period.

Ms. Brzeski advised that she hoped to make a presentation before CBRM and will be requesting funding from them also.

Councillor Buchanan questioned on the location of the larval tows carried out in 2011 and Ms. Brzeski indicated that they were done in different areas, some close to shore and some a far distance out. She indicated she could provide the locations and data collected.

Councillor Donovan advised that as a fisherman, he has been part of a scientific project for the past 17 years, doing all sexing, measuring, etc. and now there is no funding to compile the data. This compilation of this information is important. He also brought up the owner/operator issue and fleet separation issue.

**It was moved by Councillor Donovan, seconded by Deputy Warden Patterson, that a letter be forwarded to the Honourable Keith Ashfield, Minister of Fisheries and Oceans, requesting that the owner/operator and fleet separation policies be maintained and that funding be made available to continue the scientific research and compilation. Motion carried.**

Councillor Dauphinee questioned on larvae tracking. It was indicated that research has shown that 90% of Maine's lobster catch comes from Grand Manaan Island. It was indicated that south of us, in Richmond County, the lobster fishery has increased significantly. This is why it is important to have the scientific research and data.

Discussion took place on the fishery in the Bras d'Or Lakes. The fishermen in this area are not a part of the LFA 27. There are very few fishermen in the Bras d'Or Lakes at present.

**It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that the financial request of \$5,000/year for two years be referred to budget deliberations. Motion carried.**

It is anticipated that the budget should be finalized by the end of May.

**AMBROSE WHITE, CAPE BRETON-VICTORIA REGIONAL SCHOOL BOARD**

Courtesy Of Council was extended to Ambrose White, Superintendent, Cape Breton-Victoria Regional School Board (CBVRSB).

Mr. White indicated that he has been involved in education for the past 38 years – 20 as a teacher, 10 as a principal and the remaining years in both student and operational services, until his appointment as Superintendent a year ago. He indicated his pleasure on being invited to attend and stated that in his position as Superintendent, he hopes to meet with Council twice a year to hear concerns and update on the happenings of the Board.

Mr. White advised that one of the provincial government's core priorities is to get back to balance and ensure that government lives within its means. If they stick to this plan, then education will face a deficit and in turn the school boards will have to budget accordingly.

Following last Friday's budget estimates, Mr. White indicated that the school board must cut 2.1% for the upcoming school year, which would be approximately \$2.8 million. Along with assuming \$1 million plus in cost pressures, which now must be covered by the school boards, this will result in an approximate \$4 million dollar deficit. It is a major challenge to cut \$4 million dollars.

Mr. White indicated that there are four divisions within the CBVRS:

- Operations
- Human Resources
- Finance
- Programs and Student Services

Each department is requested to look and see where cuts can be made. The School Review process is part of process for looking for savings. Six schools were put up for review, with two remaining. The two remaining will be closed and the students will be moving to the new Cusack Complex and this will save \$500,000 in the area of personnel.

Mr. White advised that 85% of the budget is salary and benefits. The plans with regard to teaching and teaching assistant positions for the upcoming year were discussed. The present funding formula has provided the school board with enrollment protection, however, the formula has recently been revamped and this protection will now be gone. This change will not come into effect until 2013.

Mr. White indicated that the Board has already had a one-day budget session and will be having another next week, with a view to having the budget completed by the end of May, 2012.

Deputy Warden Patterson indicated that he was involved in the education field for 35 years and indicated that cutbacks are nothing new. He stated that it appears that there are many more children coming into the school system with special needs. Early intervention and identification of special needs is more prevalent today. When a child with special needs enters the school systems, their needs become the Board's responsibility.

Councillor Dauphinee brought up the communication issue. He explained a bussing situation in his district and indicated that a letter was sent to the Board on this issue and to date, a reply has not been received. Mr. White advised that he will follow up on this matter.

Councillor Dauphinee indicated that a child with special needs recently relocated to Ingonish from the Sydney area. The child had a teaching assistant in Sydney, but one cannot be provided in Ingonish. He questioned on why this child would not receive the same services at both locations.

Councillor Donovan brought up the communication issue and indicated that he requested the local school board representative to check on why replies were not being received to Council's concerns and when she checked, she was advised that the replies were sent to the CAO and he was not providing them to Council. Councillor Donovan advised that Council know this is not the case. Mr. White indicated that he would like to be copied on correspondence sent to the School Board to ensure a reply is provided.

Councillor Donovan advised that there are teachers located in the north of Smokey area who have been substituting for years and unable to obtain a position. Positions are being given to teachers who come in for a year and rotate out to another area within the Board. This is unfair to the students as there is no structure and continuity.

Mr. White indicated that in specialty areas, the teachers hired must have a background in that subject. He indicated that most people interviewing for positions now

have six years in substituting and there are 400 plus substitutes in the Board. The reality is that jobs are less and the Board is bound by the Nova Scotia Teachers Union contract.

Councillor Dauphinee indicated that two excellent teachers, active in the community, were lost from the area this year as they were unable to obtain positions and relocated.

Councillor Buchanan brought up a concern with regard to the bus route on South Ridge Road. Parents drive 13 high school students to the end of the road each morning at 8:20 a.m. to get the bus to Cabot High. An elementary bus does travel this road and they could get on that bus at 7:10 a.m. It would only be one mile down the road to pick up these 13 children. Mr. White will look into this matter.

Councillor MacCuspig brought up the matter of the Middle River School review. The school was removed from the review process, but not before a tremendous amount of time and energy was put forth in drafting a report for submission to the School Board. He indicated that there has to be a different approach to the school review, as the present procedure harms the relationship between the parents and the school board. Once a school is put up for review the process should be followed through giving the community the opportunity to present their case. A proper policy should be established and carried through to the end.

Mr. White acknowledged that this is a difficult situation and indicated that the Middle River School and another school in Westmont wanted to present to the Board and never got the opportunity. He indicated that a presentation by Middle River School is on the agenda for the next Board meeting.

Councillor MacNeil brought up the matter of the application to increase the size of the School Board. The Municipality did not see the justification for the increase and wrote a letter to the NSUARB indicating their opposition to the increase. Mr. White advised that Victoria County will maintain their 2 members. The justification the Board is using for the increase is that there should be one school board member for each municipal district in CBRM. CBRM have completed a boundary review and reduced the number of Councillors to 12 for the upcoming election. The School Board wants to elect one board representative from each of the 12 districts.

Mr. White indicated that there will be a public hearing on the School Board's application on March 21, 2012, in Sydney and the NSUARB will rule and provide their decision after that time.

Dave Parkinson, Baddeck School Advisory Committee member, brought up a concern with regard to the lack of continuity at the school and the negative impact this has on the students. Teachers come in for one year and then they are transferred out the

next year. He indicated that only 8% of students now take pre-calculus, whereas, a few years ago the figure was 18%. Baddeck Academy needs the proper staff to teach the curriculum. Pre-calculus is now taught virtually for the students who wish to take it and there is no staff support onsite to assist them. Not every child is able to be motivated to learn from a computer.

Mr. White indicated he would follow up on this matter as there should be in school support for the virtual school subjects.

Mr. Parkinson indicated that Baddeck Academy is strapped at present to provide the core programs. In Junior High this year they have an excellent math teacher who makes the children want to learn, but they know as this teacher is low on the seniority scale, he may not be here next year. He stated that it is not acceptable to make any further cuts at Baddeck Academy.

Lynn Myers, Chair of the Baddeck School Advisory Committee, indicated that the School Board has to begin to look outside the box. She challenged the Board to come up with a different funding formula.

Cathi Pierrard, School Board Member, advised that the School Board recently met with the MLA's and asked that the government consider bringing back a retirement incentive program. This would open the door to hire younger teachers and phase out the more expensive senior teachers.

Warden Morrison brought up the matter of virtual learning and questioned on why these programs cannot be hosted at rural schools. Mr. White indicated that he thinks they can. At present only the Strait and Chignecto Boards have the support for these programs.

Deputy Warden Patterson indicated that the staffing issue and teacher cutbacks have always been a concern. This matter has been reviewed on many previous occasions and it comes down to seniority as the only method to use. Mr. White indicated that the Nova Scotia Teachers Union is a strong union and the seniority clause is an issue.

Councillor Dauphinee brought up the matter of special services, such as psychologists, speech therapists, etc. He has been told they will not travel to the northern area in the winter. Mr. White indicated that he has never heard this. They are encouraged to schedule more appointments in the fall and spring, but that doesn't prevent them for travelling in the winter.

Councillor Donovan made further mention of the special services in that by the time they arrive to the area, they have about a two hour window to work with the students, before they have to head back. This limits the amount of time our students

receive and he questioned whether it would be more economical and beneficial to stay in the area overnight. Mr. White agreed that this was possible.

Councillor Donovan also brought up the matter of the gymnasium at Cabot High. It is undersized and unsafe and is not an adequate facility. The sport achievements of the Cabot students are very significant and Councillor Donovan outlined some of the achievements just this school year. Safety should be a first and foremost consideration. Mr. White indicated that is a challenge to expand a gym in the times we are in.

Mr. White indicated that the contract for the P3 schools is up in 2020 and a decision has to be made by 2015 whether the Board wishes to keep them. There are two such schools North of Smokey. North Highlands Elementary has 92 students and Smokey Elementary has 100 students. Whether it would be more beneficial to have one central P-12 school was questioned.

Councillor MacCuspig indicated that Mr. White's attendance has been a big step in the communications issue and he looked forward to his return in the fall.

Councillor MacNeil advised that he is receiving a number of phone calls concerning the condition of the former Rankin Memorial School property at Iona. The property is dangerous and unsightly. Mr. White indicated that it is a challenge and felt that when new schools are being built, the demolition of the old school should be a part of the contract, to alleviate this problem in future.

Warden Morrison extended a vote of thanks to Mr. White for appearing before Council. The conversation back and forth was very beneficial for both sides and he indicated that Council looks forward to Mr. White return in the fall. A list of concerns with regard to school board issues will be compiled and forwarded to Mr. White.

### **RECESS**

Warden Morrison announced that Council would recess for ten minutes.

### **APPROVAL OF MINUTES – FEBRUARY 27, 2012**

The minutes of the February 27, 2012, session of Victoria County Municipal Council were presented for approval.

**It was moved by Deputy Warden Patterson, seconded by Councillor Buchanan, that the Victoria County Municipal Council minutes of February 27, 2012, be approved as presented. Motion carried.**

### **BUSINESS ARISING FROM MINUTES**

**Genivar**

The dates for the public information sessions on the Alternative Energy Strategy Study will be April 12, 13 and 14, 2012. The locations and times will be provided when the schedule is received from Genivar.

**TIANS**

**It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that TIANS be requested to come to a future meeting of Council. Motion carried.**

**Rail Line**

**It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that a letter be sent to the Premier and the Minister of Energy requesting that a rail link be built between Donkin and the Sydney Harbour Coal Piers. Motion carried.**

**Water Utility Operators**

Sandy Hudson met with the contracted operators of the 4 water utilities in the Municipality and they came forward with an alternative situation which would keep the same number of operators, but make one of the operators a manager, and over time the contracts would be phased out.

Discussion took place on this recommendation and Sandy Hudson advised that the manager would learn each of the systems over time and keep a better track of the requirements for each of the systems.

The present water contracts expired in October, 2011, and the operators are working on a month to month basis. Concern was expressed on the lack of attention and breach of security (alarm disabled) at a couple of the systems.

Discussion took place on drafting a contract that would be standardized for all operators and outlining compulsory duties.

Victoria County water customers pay the second highest rate for water in the province and as such should be receiving good service at all times.

Further discussion took place on matters concerning the present supervision of the water utility operators and how to proceed.

**It was moved by Councillor MacCuspic, seconded by Councillor Dauphinee, that the CAO draft a contract with the input of the water utility operators and bring**



**forward a proposal to Council on the operation of the water utilities by June 1, 2012, with the view to establishing a mid-level supervisor position. Motion carried.**

**NEW BUSINESS**

**EASTERN DISTRICT PLANNING COMMISSION**

A letter was received from John Bain, Director, Eastern District Planning Commission, requesting Council make staffing appointments for 2012-2013.

**It was moved by Councillor Donovan, seconded by Councillor Buchanan, that the following appointments be approved by Council:**

- **Administrator – Dangerous and Unsightly Premises – John Bain  
Sean Donovan, Alternate**
- **Building Inspector – David MacKenzie  
Cyril LeBlanc, Alternate  
Leon LeBlanc, Alternate  
Harry Martell, Alternate**
- **Development Officer – Beth Schumacher  
John Bain, Alternate  
Wanda Ryan, Alternate  
Andrew Jones, Alternate**
- **Fire Inspector – Cyril LeBlanc  
Sean Donovan, Alternate  
David MacKenzie, Alternate  
Leon LeBlanc, Alternate**

**Motion carried.**

A letter was also received from John Bain concerning an increase in the building permit fees. Rates have not changed since April, 2002. Sandy Hudson provided an explanation of the rate increases and provided cost examples. All units within the EDPC have to agree before the change in permit fees will be implemented.

**It was moved by Councillor MacCuspic, seconded by Councillor Donovan, that the proposed increases in the building permit fees be accepted. Motion carried.**

**HEAVY GARBAGE COLLECTION**

Sandy Hudson suggested that a heavy garbage pickup for the Municipality be initiated in the near future with a view to having it completed by the first week of June. This will be contracted out, as was done last year.

**It was moved by Councillor Dauphinee, seconded by Councillor MacNeil, that a heavy garbage pickup be conducted in the Municipality to be completed by the first week of June, 2012. Motion carried.**

**DISTRICT CONCERNS**

**District #1**

Councillor MacNeil updated Council on a March Break Day Camp held this past weekend at the Gaelic College, St. Ann's. 101 children participated and it was a great weekend.

**It was moved by Councillor MacNeil, seconded by Deputy Warden Patterson, that a letter be forwarded to the Gaelic College commending them on the success of their weekend day camp held during the past weekend. Motion carried.**

**It was moved by Councillor MacNeil, seconded by Councillor Dauphinee, that a letter be forwarded to Steve MacDonald, Department of Transportation and Infrastructure Renewal, requesting that roadside mowing be completed in all areas of the Municipality early this season. Motion carried.**

**District #2**

Councillor MacCuspig recently attended a Climate Change Conference in Halifax. Will Green, Department of Environment, was a facilitator at his conference and he is available to come to Council to provide a presentation on climate change.

Sandy Hudson advised that the nine municipal units who have been combined for IT purposes are interested in having one Climate Change Study done for the units. A Climate Change Study is a requirement for accessing future gas tax funding. The nine municipal units will be meeting with Graham Fisher, Climate Change Coordinator for the Province on Thursday.

**It was moved by Councillor MacCuspig, seconded by Councillor Buchanan, that Will Green, Department of Environment, be contacted with regard to a climate change presentation for our County. Motion carried.**

**District #8**

Councillor Buchanan brought up the matter of the moose draw and felt the draw should be done in Victoria County.

**It was moved by Councillor Buchanan, seconded by Councillor Donovan, that a letter be forwarded to the Department of Natural Resources requesting that the annual moose draw be held in Victoria County. Motion carried.**

**It was moved by Councillor Buchanan, seconded by Councillor MacNeil, that a letter be forwarded to Cabot High School congratulating and recognizing the achievements of their student athletes. Motion carried.**

**District #7**

**It was moved by Councillor Donovan, seconded by Councillor Buchanan, that a letter be forwarded to the Minister of Transportation and Infrastructure Renewal and Steve MacDonald, Area Manager, concerning the condition of the White Point, Smelt Brook and Bay Road Valley roads and requesting that Mr. MacDonald meet with the Councillors concerned and travel the roads with them. Motion carried.**

Councillor Donovan brought up the matter of the Ingonish United Church graveyard and the erosion problems being encountered. A crib work project has been initiated at a cost of \$70,000.00 plus and they are seeking funding from the Municipality for \$15,000.00. They have applied to other sources for funding also and the municipal funding would be contingent on funding being received from other sources.

**It was moved by Councillor Donovan, seconded by Councillor Dauphinee, that the Ingonish United Church's funding request be referred to budget. Motion carried.**

Councillor Donovan brought up the matter of the South Aspy River Bridge and the fact that the closure of this bridge will have an affect on Victoria Co-op Fisheries in getting the product to their fish plant in Neil's Harbour, and they should be consulted prior to this happening.

Councillor Buchanan advised that a meeting has been scheduled with Department of Transportation officials on March 22, 2012.

Councillor Donovan advised that a member of the Highland Manor Board submitted their resignation and he questioned on the proper protocol for filling this position.

**District #6**

Councillor Dauphinee advised that Ski Cape Smokey Society will be submitting a request to the Municipality for \$20,000.00. They have forwarded an application for

funding to ECBC and part of the requirements of this application is that they identify another source of funding.

**It was moved by Councillor Dauphinee, seconded by Councillor Donovan, that the Municipality provide a letter of support in principle for Ski Cape Smokey Society's application, contingent on funding. Motion carried.**

Ski Cape Smokey will fill out the appropriate application for funding and forward to the Municipality for budget consideration.

**District #5**

**It was moved by Deputy Warden Patterson, seconded by Councillor Donovan, that a letter be forwarded to the Minister of Transportation and Infrastructure Renewal, with a copy of Steve MacDonald, Area Manager, concerning the condition of the Kempt Head Road. Motion carried.**

**District #6**

**It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal concerning the deteriorating condition of the road at Philip's Nose turn on Smokey Mountain and the guardrail by Isabel MacDonald's in Ingonish Ferry. Motion carried.**

**District #1**

Councillor MacNeil advised that the Provincial Electoral Boundaries Review Commission will be in Baddeck on April 14, 2012, at 6:00 p.m. The Municipality will be making a submission.

**COMMITTEE REPORTS**

**Age-Friendly Communities Advisory Committee**

Deputy Warden Patterson updated Council on the Age-Friendly Communities Advisory Committee meeting held on March 8, 2012.

Items requiring action identified at the meeting included looking at funding sources for a transit system; inviting Jessica Farrell from the Strait Area Transit to come to a future meeting of Council and joining Community Transit – Nova Scotia at a cost of \$50.00.

**It was moved by Deputy Warden Patterson, seconded by Councillor Dauphinee, that the Municipality become a member of Community Transit – Nova Scotia at a cost of \$50.00. Motion carried.**

Cheryl MacQuarrie from Community Links was in attendance at the Age-Friendly Committee meeting and she expressed an interest in expanding their services to Victoria County and would like to come to speak with Council in June.

**P-3 CANADA FUND**

Deputy Warden Patterson advised that there is a workshop on the P-3 Canada Fund being held at the Delta Halifax on March 27, 2012. Water and wastewater infrastructure, public transit, tourism and culture infrastructure are all mentioned as areas where funding is possible and he expressed an interest in attending.

Any Council member wishing to attend are to advise by the March 16, 2012, deadline.

**ADJOURN**

**There being no further business, on motion of Councillor MacNeil, seconded by Councillor Dauphinee, the meeting adjourned at 7:45 p.m.**

**Bruce Morrison, Warden**

**Sandy Hudson, CAO**

