

VICTORIA COUNTY MUNICIPAL COUNCIL
January 7, 2013

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, January 7, 2013, beginning at 5:00 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #2 – Athol Grant
District #3 – Bruce Morrison, Warden
District #4 – Merrill MacInnis
District #5 – Fraser Patterson, Deputy Warden
District #6 – Larry Dauphinee
District #7 – Wayne Budge
District #8 – Johnny Buchanan

Also present were:

Sandy Hudson, CAO
Heather MacLean, Recording Secretary

Absent was:

District #1 – Paul MacNeil

CALL TO ORDER/APPROVAL OF AGENDA

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

It was moved by Councillor Buchanan, seconded by Councillor Grant, that the agenda be approved as circulated. Motion carried.

PORT HAWKESBURY PAPER

Courtesy of Council was extended to Andrea Coombs, Leader, Sustainability and Outreach; Foncie Farrell, Superintendent, Forestry Sector; and Dennis Boulet, Supervisor of Cape Breton Operations; Port Hawkesbury Paper.

Warden Morrison requested Council members to provide introductions and Ms. Coombs offered a thank you to Council for allowing them the time to appear.

Ms. Coombs then began the presentation entitled “Achieving Forest Sustainability Through Active Management”. She indicated that the presentation would be provided in three sections – Introduction, Sustainable Forest Management, and Forest Management in Victoria County (copy attached) .

Foncie Farrell provided an introduction to Port Hawkesbury Paper (PHP). The re-start has gone very well. Wood quality has supported efficient mill operations and the mill operations have gone well and paper quality is excellent. He also presented information on re-entering the market, paper grades and paper customers' feedback.

Mr. Farrell updated on the mill environment performance and provided an update on staffing as of December 7, 2012. There are 298 employees as of this date and the projected total job complement is 302.

Mr. Farrell provided information on woodlands safety, Victoria County's wood supply, harvest contractor training, forestry practices, wood deliveries and inventory build and PHP's forestry partners.

Andrea Coombs provided information on sustainable forest management, including wood supply area/managed lands, Acadian forest, forest eco-system classification and the long-term stand management. The company's silviculture policy was outlined. Port Hawkesbury Paper has not used herbicides since 1997. The Environmental Management System and the monitoring of forest practices were provided. Port Hawkesbury Paper is the only large forestry operation that is Forest Stewardship Council certified in Atlantic Canada. She outlined why it is important to PHP to be certified.

Ms. Coombs advised that approximately 85% of PHP land is identified as High Conservation Value Forests. These are forest areas that contain special biodiversity and/or societal values. She outlined the Forest Planning Horizon which includes a 80-year sustainable forest management long-term plan, a 5-year landscape level management plan and an annual operating management plan.

Dennis Boulet updated on forest management in Victoria County. PHP hold 110,496 hectares (272,925 acres) of licensed Crown land in Victoria County. He outlined the protected areas and special management areas included in the license. The Crown Harvest Area for 2013 in Victoria County include 20 harvest operations scheduled covering a total area of 1499 hectares.

Mr. Boulet outlined the planned Crown silviculture program for Victoria County for 2013. 500,000 white and black spruce will be planted with all seedlings coming from the Strathlorne Nursery in Inverness. They have plans to do site preparation on 300 hectares, manual weeding on 200 hectares and release spacing on 150 hectares.

Ms. Coombs advised that further information could be obtained from their website – www.porthawkesburypaper.com.

Whether PHP would release a block of land for community forest management was questioned. This would be released to the community and managed by a small group of people and could be a multi-use forest. It was indicated that the province have the final say on the land tonnage that can be utilized by PHP.

Whether there were any plans to start the newsprint operation was questioned. Council was advised that there are no plans to start up the newsprint operation. The newsprint machine has not been dismantled and although it was made in 1971, it is a wide machine and could possibly be converted.

It was indicated that most of PHP's product goes to the US market (70%), with the remainder going mostly to South America.

Discussion took place on clear cutting and commercial thinning operations. All of the trees planted on PHP leases are hardwood.

The staffing levels at present were discussed. The remaining positions yet to be filled are maintenance positions.

The areas that have been affected by the bark beetle were discussed. The bark beetle only affected the over mature white spruce. These trees are no longer good for pulp, but are good for biomass.

Warden Morrison indicated that the forest industry has an impact on a lot of people in Victoria County and he thanked the representatives for their presentation. He requested that they come to Council on an annual basis to update on their operations.

RECESS

Warden Morrison advised that Council would recess for five minutes.

COMFIT PRESENTATION

Courtesy of Council was extended to Krystal Therien, COMFIT Administrator, Department of Energy. Ms. Therien was in attendance to provide Council with a presentation on the Nova Scotia Community Feed-in Tariff (COMFIT) Program (copy attached).

Ms. Therien provided Council with an introduction and overview on the COMFIT program. She outlined the large wind and small wind applications under the COMFIT program.

An outline of the project planning process for the COMFIT program was provided. Ms. Therien also outlined the steps after COMFIT approval is received and the procedure to be followed once the project has been constructed.

The steps to determine readiness were outlined and included:

- Project Team
- Renewable resource
- Grid connection
- Community support
- Financing
- Regulatory approvals

Ms. Therien advised that this is a brief overview of the COMFIT program and additional information can be obtained by visiting www.nsrenewables.ca.

It was indicated that each County is eligible for 8 COMFIT project approvals. Discussion took place on community engagement and this was felt to be an essential part of the process.

At present there are 3 COMFIT approvals in Victoria County – two tidal approvals at Seal Island and the Barra Strait and a wind turbine approval at Bucklaw.

The types of COMFIT approvals province-wide were questioned and Ms. Therien indicated that 98% are wind projects, with the remainder being mostly tidal and one hydro project.

The Municipality, at present, does not have an alternate energy by-law in effect and this was felt to be important and should be initiated as soon as possible.

Ms. Therien indicated that in the end it is the Minister of Energy who can revoke or deny an approval. Council was advised that with the approvals at present, there are or will be 100 to 150 wind turbines operating in Nova Scotia.

The potential fire hazard risk from wind turbines was questioned and Ms. Therien indicated that the risk is quite small.

Whether approval is required from the Municipality for a COMFIT project was questioned. It was indicated that approval was not requested for the Bucklaw wind project. Ms. Therien indicated that a project is not required to have municipal support. It is preferred to rely on the development/permit process in effect in the Municipality.

A question was raised as to whether the Municipality could be a partner on a CEDIF and Ms. Therien indicated that the *Municipal Government Act* would not allow for same.

Ms. Therien was questioned as to the public opinion with regard to wind turbines province-wide. She felt that generally they are well supported. It depends on the community and some areas are more receptive to such projects than others.

The distance from residences for wind projects was questioned and Ms. Therien advised that Health Canada recommends a distance of 550 meters and nothing is approved below this threshold.

Warden Morrison advised that Ms. Therien has agreed to meet with Victoria County's Alternate Energy Committee on February 15, 2013. He indicated that the process should begin as soon as possible to approve an Alternate Energy By-Law for Victoria County.

After further discussion, Warden Morrison extended a vote of thanks to Ms. Therien for her presentation and she was excused at this time.

APPROVAL OF MINUTES – DECEMBER 10, 2012

The minutes of the December 10, 2012, meeting 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 December 10, 2012, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Water – Fire Departments

A question was raised on the cost of water for volunteer fire departments on municipal water systems.

Sandy Hudson advised that the cost is approximately \$282.00 per quarter. At present a meter has been installed at the fire department in Ingonish Beach and a meter will be installed at Little Narrows at the fire station. Cabot Volunteer Fire Department has been metered for some time and have paid for water service for some time.

It was moved by Councillor Buchanan, seconded by Councillor Dauphinee, that effective October 1, 2012, fire departments on municipal water systems not be charged for water. Motion carried.

Unsanitary Premises

Sandy Hudson provided an update on the status of the unsanitary premises in the Municipality.

DISTRICT CONCERNS

District #5

Deputy Warden Patterson indicated that he has received a number of complaints concerning the condition of the roadways after the first snowfalls in his district.

He also indicated that a number of seasonal residents in his district have questioned on why they couldn't vote in the municipal election. Residents can only vote once and vote where their principal residence is located.

Deputy Warden Patterson felt that we should have access to both the provincial and federal voters lists for a more accurate list of electors.

Sandy Hudson advised that with the enumeration and revisions done from the October municipal election, we should now have an accurate list of electors.

District #6

Councillor Dauphinee indicated that last summer a letter was written to EHS regarding staffing issues north of Smokey, in particular the ambulance located at Ingonish Beach. Over the holiday season, there were times when there were no staff located at Ingonish Beach. If two emergencies occur at the same time in the northern area of the County, there is no coverage.

Councillor Dauphinee indicated that he wrote of a letter concerning this matter to Gerald Dunlop.

It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that a letter be forwarded to Gerald Dunlop, EHS, indicating the dissatisfaction with the service provided over the holiday season and questioning why the ambulance stationed at Ingonish Beach is not always staffed. Motion carried.

If no response is received to this letter, a letter will be forwarded to the head of Emergency Medical Care for the province.

Councillor Dauphinee questioned on zoning for the County as a whole. This would be initiated with the Eastern District Planning Commission. It was felt that an Alternate Energy By-Law for the Municipality would be the first step of County-wide planning.

District #7

Councillor Budge questioned whether water was ever connected to the Neil's Harbour Enviro-Depot.

Sandy Hudson advised that negotiations are ongoing with the Neil's Harbour/New Haven Volunteer Fire Department with regard to connecting to their onsite disposal system.

The bobcat machine located at the Neil's Harbour Enviro-Depot is not working properly and has been removed from the site. Councillor Budge felt that there should be a proper machine located onsite and money should be included in the budget for same. Sandy Hudson will check on this matter.

It was moved by Councillor Budge, seconded by Deputy Warden Patterson, that \$300.00 be approved for the Cabot Wrestling Team from the District #7 budget. Motion carried.

District #8

It was moved by Councillor Buchanan, seconded by Councillor MacInnis, that a street light order be approved for a civic address in District #8 to be provided to the Municipal Office. Motion carried.

Councillor Buchanan indicated that Medrick Dixon, Dingwall Transfer Station, would like to change the locks on the gate, as there are a number of keys out in the community to the site. Sandy Hudson will check with Robert Dauphinee in this regard.

District #4

Councillor MacInnis questioned on when a tax sale would be scheduled. Sandy Hudson advised that a tax sale will be scheduled for March, 2013. He also indicated that monthly tax sales will be scheduled in the future.

Councillor MacInnis questioned whether it was possible for the Municipality to purchase property north of Smokey where large rocks could be accessed. At present rock is being hauled north of Smokey from the Yankee Line. Concerns with regard to public safety were discussed.

The condition of the highway along the North Shore during the holiday season was discussed. The roads were not plowed or salted and were extremely treacherous.

It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, that a letter be forwarded to Steve MacDonald, DOTIR, expressing concern with regard to the condition of the roads in various parts of the Municipality since the beginning of the winter season. Motion carried.

District #2

Councillor Grant brought forward a proposed project entitled Retire Cape Breton. The purpose of this project is to encourage people to come to or stay in Cape Breton to retire.

He indicated that the project will be primarily internet based and driven through a Retire Cape Breton website and community portals. He outlined the vision for same and distributed copies of the proposed project to Council for their review. He will bring forward this topic again at a later meeting when Council has had an opportunity to review to proposal.

Councillor Grant also distributed an excerpt from the Destination Development International Cabot Trail Re-assessment Follow-up Recommendations. He asked Council to look at recommendation 30 which suggests creating a major gateway to the Cabot Trail. The suggested location for this gateway is along Highway 105 west of the Red Barn at Exit 7. He felt we should be working more to promote the Cabot Trail.

Councillor Grant also mentioned that he and Warden Morrison met with regard to a full-time day care for the Baddeck area. A meeting has been scheduled for January 24, 2013, in this regard.

Councillor Grant indicated that he will be hosting a community meeting in Middle River to obtain residents ideas and comments. The meeting has been tentatively scheduled for February 12, 2013. He will invite Staff Sgt. Craig Yorke, RCMP, to provide information on community policing.

Councillor Grant also brought up the matter of the installation of an intersection light at the Big Baddeck Road. The installation of an additional power pole(s) is required and he questioned on how to proceed in this regard.

NSPI should be contacted to see what infrastructure is required for the light installation and the possibility of cost sharing with NSPI or DOTIR is to be investigated.

Councillor Grant also mentioned that community mailboxes have been located and some locations are not deemed to be satisfactory. The installation of a community mailbox where this light would be located would be appropriate.

District #6

Councillor Dauphinee indicated that he was contacted by a resident who has a rental property expressing concern that the water bill for this property must be in the property owners name as opposed to the tenant. He would prefer it be in the tenant's name.

Sandy Hudson advised that billing the owners of property for water was instituted some time ago due to delinquent accounts. He indicated he would check the Water Rate Study to see what it states in regard to same.

District #3

Deputy Warden Patterson took the Chair.

It was moved by Warden Morrison, seconded by Councillor MacInnis, to bring the draft Alternate Energy By-Law to Council for review at the next meeting. Motion carried.

Whether a reply had been received with regard to the proposed closure of rural post offices on Saturdays was questioned. Sandy Hudson advised that to date a reply has not been received.

Warden Morrison reminded Council of the Cape Breton Island Summit to be hosted by Victoria County on January 17 and 18, 2013, at the Gaelic College, St. Ann's. He outlined the program schedule to Council and indicated that is important for all Councillors to attend. There will be five speakers at this event and he requested that Council members participate in the introduction and thanking the speakers. A schedule will be developed.

Warden Morrison presented a proposed RFP for a Transit Feasibility Study for Victoria County. Funding has been received under the NS TRIP Program for this study and the County will also contribute towards the study costs.

It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, to approve the RFP for the Transit Feasibility Study and the necessary funding associated with this project. Motion carried.

As recommended in Stacey Pineau's report, a staff recognition program will be initiated for years of service of 15 years and 5 years intervals thereafter. No employees are eligible this year, but some will reach these thresholds next year and will be duly recognized.

Warden Morrison returned to the Chair.

NEW BUSINESS

PROCUREMENT POLICY

The draft Procurement Policy is to be reviewed and brought to the next Council meeting for consideration.

LAND AT DUNPHY'S WHARF ROAD, INGONISH BEACH

Federal surplus property at Dunphy's Wharf Road, Ingonish Beach, was offered to the Municipality some time ago and the offer to assume ownership of this property was declined by Council.

This property has been placed on the market for sale at a cost of \$39,000.00 and RE/MAX Park Place Inc. have notified the Municipality of this listing.

Council indicated that they are not interested in purchasing this property.

EXCHANGE OF LANDS

Sandy Hudson advised that he would like to begin negotiations with the province to acquire additional land adjacent to the Baddeck Solid Waste Management facility. The additional land is required for the possible location of a C & D disposal site.

The area required by the Municipality would be approximately 40 acres. An exchange of lands is possible with the province. A suggested parcel of 100 acres at Hunters Mountain is of interest to DNR.

It was moved by Councillor Budge, seconded by Deputy Warden Patterson, that the CAO be authorized to enter negotiations with the Department of Natural Resources for an exchange of property for the Baddeck Solid Waste Management Facility. Motion carried.

BAY ST. LAWRENCE WATER

Provincial Capital Assistance (PCAP) funding was received for identification of a water source for Bay St. Lawrence. Sandy Hudson advised that three potential sources have been identified. He indicated he would like permission to negotiate with a property owner on the Meat Cove Road for permission to drill on the property and if the source is acceptable, negotiate to purchase the required property.

It was moved by Councillor Buchanan, seconded by Councillor Dauphinee, that the CAO be authorized to enter negotiations with the property owner for a water source for Bay St. Lawrence. Motion carried.

COMMITTEE REPORTS

AGE-FRIENDLY COMMUNITIES ADVISORY COMMITTEE

Deputy Warden Patterson provided Council with an update on the Age-Friendly Communities Advisory Committee. The Committee has decided to focus its efforts on transit, seniors support program and a communications plan.

NEXT COUNCIL MEETING

The next meeting of Victoria County Municipal Council will be held on Monday, January 21, 2013, beginning at 5:00 p.m. Presentations scheduled for this meeting include Ambrose White from the Cape Breton-Victoria Regional School Board and Jessica Farrell from Strait Area Transit.

The February Council meetings will be held on February 11 and 25, 2013. Staff Sgt. Craig Yorke will be in attendance at the February 11, 2013, meeting, as well as Jim Foulds of the

Bras d'Or Lake Biosphere Reserve Association. The Gaelic Council of Nova Scotia will be making a presentation to Council on February 25, 2013.

COUNCIL COMMITTEES

Discussion took place on the four established Council Committees. It was felt to be important to schedule meetings of these committees and select a Chair.

A report from these Committees will be a standing agenda item on Council.

A tentative date of January 21, 2013, at 3:00 p.m. was set for the Solid Waste Committee. Terry MacPherson, Department of the Environment, is to be invited to attend this meeting.

The Alternate Energy Committee has tentatively scheduled a meeting for February 15, 2013, Krystal Therien, COMFIT Administrator, will be in attendance at this meeting.

The remaining two Committees are to schedule a meeting as soon as possible.

ADJOURN

There being no further business, on motion of Councillor Budge, seconded by Councillor Buchanan, the meeting adjourned at 8:05 p.m.

Sandy Hudson, CAO

Bruce Morrison, Warden

