

VICTORIA COUNTY MUNICIPAL COUNCIL
July 8, 2013

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, July 8, 2013, beginning at 5:00 p.m. with Warden Bruce Morrison in the Chair.

Present were:

District #1 – Paul MacNeil
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

CALL TO ORDER/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and welcomed those in attendance. He indicated that the Department of Transportation and Infrastructure Renewal representatives were holding a brief meeting and their presentation would be deferred until after approval of the minutes.

It was moved by Councillor Dauphinee, seconded by Councillor Grant, that the agenda be approved with the noted change in order. Motion carried.

APPROVAL OF MINUTES – JUNE 24, 2013

The minutes of the June 24, 2013, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor MacNeil, seconded by Councillor Buchanan, that the Victoria County Municipal Council minutes of June 24, 2013, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

The Department of Justice meeting with the North of Smokey Crime Prevention group has been set for July 25, 2013. Council's attendance will be confirmed with Janet Bickerton.

DISTRICT CONCERNS

District #3

Deputy Warden Patterson assumed the Chair.

Warden Morrison indicated that meetings were held in the past with John Malcom, Former CEO of the Cape Breton District Health Authority (CBDHA), concerning physician recruitment to Victoria County. He felt it would be prudent at this time to meet with the new CEO of the CBDHA and the Recruiting Officer to see what role, if any, Council can play in assisting with the recruitment.

It was moved by Warden Morrison, seconded by Councillor MacNeil, that the CAO contact Diane Calvert-Simms, CEO, CBDHA, requesting that she and the Recruitment Officer come to Council to discuss the possible role Council can play in physician recruitment to Victoria County. Motion carried.

Warden Morrison returned to the Chair.

COMMITTEE REPORTS

Transit Feasibility

Deputy Warden Patterson advised that \$30,000.00 has been approved under the Nova Scotia Transit Research Incentive Program (NS-TRIP) for a community transit feasibility study and business plan for the Municipality of the County of Victoria.

At present there is a potential transit service survey on the County website and available throughout the County on travel needs, patterns and attitudes toward a potential transportation service in the Municipality. The deadline for completing the survey will be the first week of August.

Wind Turbine By-Law

Councillor Grant questioned on the status of the Wind Turbine By-Law for the Municipality. The first draft was reviewed and suggestions and changes were to be incorporated and another draft was to have been presented by John Bain, Eastern District Planning Commission.

It was moved by Councillor Grant, seconded by Deputy Warden Patterson, that the CAO contact John Bain, EDPC, for an update on the status of the Wind Turbine By-Law. Motion carried.

Wagmatcook Band Council

Warden Morrison advised that he was in contact with Chief Norman Bernard, Wagmatcook, on Friday past. He was receptive to meeting with Council and asked that the CAO contact Brian Arbuthnot to arrange a meeting between the two Councils.

DISTRICT CONCERNS

District #6

It was moved by Councillor Dauphinee, seconded by Councillor MacInnis, that appreciation be forwarded to the emergency personnel, fire departments and fishermen who assisted in the recent drowning incident in Ingonish. Motion carried.

District #1

Councillor MacNeil extended a thank you to Council for their contributions towards the ALS Walk which took place in Washabuck recently,

DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE RENEWAL

Warden Morrison extended the courtesy of Council to Paul LaFleche, Deputy Minister of Transportation and Infrastructure Renewal.

Deputy Minister LaFleche provided introductions of DOTIR staff members who were also in attendance.

- Stephen MacDonald, Area Manager – Baddeck Office
- Darren Blunden, Area Manager – Port Hawkesbury Office
- Gerard Jessome, District Director – Eastern
- Bruce Fitzner, Chief Engineer
- Jamie Chisholm, Construction Manager

Warden Morrison indicated that the Deputy Minister travelled the County today, visiting North River, North Shore, Neil's Harbour, New Haven, White Point, Dingwall, Cape North and all points in between, and then travelled the Kempt Head Road, Westside Middle River Road and the Washabuck Peninsula, getting back to Baddeck at 4:45 p.m. to appear before Council.

Warden Morrison advised that Mr. LaFleche will provide comments and then Council will be afforded time to question the DOTIR representatives. The public will be given an opportunity to address the DOTIR representatives. Their comments should be directed through the Chair.

The Deputy Minister then presented Council members with a gift (ball cap) from Minister Smith and apologized on behalf of the Minister for not being able to come to Victoria County at this time.

Deputy Minister LaFleche indicated that he undertook a thorough tour of the Municipality today. MLA Keith Bain joined him in the tour. They saw most of the problem cases. There are serious issues that need to be addressed, as there are all over Nova Scotia. He indicated the department are always open to hearing concerns.

Deputy Warden Patterson thanked the Deputy Minister for coming and taking a tour of the County. Until you drive the County, it is impossible to understand the vastness of Victoria County. He mentioned the Kempt Head Road being named one of the 10 worst roads in Atlantic Canada in a CAA vote. He expressed his concern with regard to the affect the roads have on tourism in the County and thanked both Steve MacDonald and Gerard Jessome for their help over the past ten years.

Deputy Warden Patterson brought up the coastal issue on the Kempt Head Road and the need for guardrail in this area. Armour rock was placed some time ago, but the guardrail was never reinstated. Steve MacDonald indicated this work would be done this summer. The Steel's Cross Road was also mentioned and there will be some RIM funding available for patching and surveys and traffic counts will be done on both the Kempt Head and Steel's Cross Road.

Councillor Dauphinee mentioned that on the infrastructure renewal side, major maintenance work is required on the provincially-owned Ski Cape Smokey. This will be brought to the attention of the public works division of the department.

Councillor Dauphinee brought up the issue of roads and the fact that the Cabot Trail is an icon to Nova Scotia but to get there you have to travel on bad roads. He indicated that he visits the Keltic Lodge regularly and 80% of the people he talks with bring up the condition of the roads. He also mentioned the view planes. Work needs to be done to reinstate the viewscapes for which the Cabot Trail is known.

Councillor Dauphinee also mentioned the winter road conditions, especially on the North Shore. Since the loss of the salt silo at Wreck Cove, the winter road conditions have deteriorated every year. He also mentioned that the installation of a webcam in the North Shore area would be beneficial to the travelling public, so they can see the road conditions before they leave home.

Councillor Dauphinee expressed appreciation for the cooperation he receives from Steve MacDonald and the area staff.

Deputy Minister LaFleche indicated that the webcam issue can be discussed further with Steve MacDonald. He indicated that the salt silo site has been cleaned up and they are working on a partnership with regard to the salt issue.

Steve MacDonald advised that the two units servicing the North Shore area have more salting capacity than in the past. More salt is placed in this section than other areas. The possibility of placing a brine mixture ahead of storms to prevent ice buildup was discussed. This has been done in other areas and appears to decrease the ice bonding. Mr. MacDonald indicated that a great emphasis is placed on keeping Smokey Mountain open and it is a challenging section of highway. He also indicated that when the units come to the Englishtown Ferry they can continue to the Boularderie salt dome and fill up for distribution on the trip back through the North Shore area.

Councillor Budge indicated that a number of months ago, Steve MacDonald promised to meet with Councillors from the northern area of the County, but he has not seen him yet. He expressed concern on the area in Neil's Harbour at the Post Office; the hole on the bridge is New Haven and the condition of the Back Road.

Mr. MacDonald indicated that he met with some of the Councillors in the northern area last Friday, but was unable to contact Councillor Budge. He advised that he would arrange to meet with Councillor Budge.

Deputy Minister LaFleche indicated that he did travel these areas today and he felt there were immediate things that could be done from a safety point of view this summer. The Back Road was discussed and they will see what can be done. The survey and traffic counts have been done on this area and it was indicated that just placing asphalt is not going to work in this area. It is beyond the capacity of local crews.

Mr. MacDonald indicated that a commitment has been made for asphalt patching in areas for the short term and what could work in the area by the Post Office will be considered. Mr. MacDonald will arrange to meet with Councillor Budge, and if available, Councillor Buchanan, in the very near future.

Councillor Buchanan expressed thanks for the 18 km of pavement received in his district last year. He voiced concern on the Mountainview and Courtney Roads and the hill on the South Ridge Road. He questioned on how the budget is set for Victoria County.

Bruce Fitzner indicated that there is both the capital and operating budgets. Each district is allocated funding for operations based on a number of criteria. The capital budget is determined by a provincial priority basis with equity across the province.

Councillor MacInnis thanked the representatives for attending and indicated that his first concern was the 5 year commitment made regarding the Cabot Trail. This year's commitment

for paving in Victoria County was deferred and a section was instead approved for Inverness County.

Councillor MacInnis also brought up the matter of the inspection policy on road construction. The new roads don't seem to last as they once did and he questioned whether standards have been lowered.

Jamie Chisholm indicated that the section from the bottom of Smokey to Birch Plain which was paved 5 to 6 years ago has premature cracking. This may be due to changes in asphalt, tendering and completion of the project late in the year when asphalt doesn't seal as tight. Plans are now to tender projects late in the year, with work to commence early in the construction season. Several years ago there was a lack of competition with regard to asphalt paving. Now there are new companies and the DOTIR have their own plant, so better scheduling and completion will be seen. There is also now the possibility of bundling tenders.

It was also indicated that the 5-year plan is an asset in that scheduling is done in advance and not on a year to year basis. In future, work to be undertaken will take full advantage of the construction season.

Councillor MacInnis mentioned the number of pylons along the roadways in Victoria County. He questioned whether some of the repair work could be tendered to local people to undertake small jobs. He provided an example of one repair job that had numerous pieces of equipment, flashing lights and 6 to 8 workers, when a couple of people could have done the repair job more efficiently.

The Department does subcontract out a fair amount of work, but a balance is required, as the Department has to utilize their own staff and equipment.

Councillor MacInnis questioned whether there were any plans for a bridge at Englishtown. In the busy summer months, there is upwards of a one hour wait to get across the ferry and this is unacceptable. He also mentioned that the ferry was out of service for a period of months this season past. Patrons who had a ferry pass looked for a refund of a portion of their pass fee and they were not well received by the Supervisor of Ferries, John Mahchrowicz.

The Deputy Minister indicated that if the public strongly wants a bridge at Englishtown, then this request should be forwarded to the government for their consideration.

Councillor Grant thanked the Deputy Minister for visiting the West Side Middle River Road today and seeing first-hand the condition of the roadway. The opening the Red Bridge is much appreciated. Councillor Grant indicated that there are a couple of concerns – one with regard to visibility and the other that there are a number of wires hanging around the site of the Red Bridge. Jamie Chisholm indicated he would ensure that the sight distance is investigated and would follow up with the NSPI and Bell Aliant on the utility and wire issues.

Councillor Grant indicated that when Staff Sgt. Craig Yorke met with Council recently, a concern was addressed regarding the shutting down of the Seal Island Bridge to allow wide loads to travel over the bridge. Council pay for the RCMP and it was felt that there are more significant policing issues that the RCMP can be addressing instead of traffic control.

It was indicated that this is also an issue at the Canso Causeway. Special move permits are required and issued by SNSMR and indicate that the RCMP are to be contacted to stop traffic. Compliance officers can also direct this type of traffic. The possibility of full traffic control was discussed and it was indicated that the wait time for the public would be significantly higher, as they would require set up time and removal time after the transport across the bridge is complete. Educating the trucking companies and having vehicle compliance talk to them at scale houses could be beneficial.

Deputy Minister LaFleche indicated that if this is a continuing problem, refer the issue to DOTIR and they will submit a reply in writing to this concern.

Councillor MacNeil extended a thank you to the representatives for attending Council and travelling the roads in his district. He indicated that when his district was first changed to the new jurisdiction, covered from Ashfield, he had concerns, but advised that he is more than pleased with the attention received to his concerns by Darren Blunden and his staff.

The main issue in his district is the Washabuck/St. Columba/Gillis Point Road. This road was paved some thirty years ago and has not been maintained. A section of the road has no base and is crumbling. People are scared to use this road. It is the road that residents must travel to get to Route 223. The festival held annually in Washabuck was recently named the #1 festival in Nova Scotia and this road is a deterrent to the festival and tourism in general. Bridges along the road need to be rebuilt.

Councillor MacNeil indicated that 95% of the gallery are residents of his district and he thanked them for coming to Council. He indicated that this road needs to be reconstructed, patching will not work. The residents would be happy with a three year construction project on this 16 km section of road. It was also indicated that the school bus was taken off this roadway. The DOTIR plows don't want to travel on this section and the grader is used on this section in the winter taking it from areas where it is required.

Bruce Fitzner indicated that this roadway was discussed this morning and it is one of the issues that are very difficult to deal with. Paving would not last long; chip sealing without reconstruction would last only about 6 months; pulverizing, upgrading and chip sealing has been done on similar roads. Sometimes reverting to gravel roads is a solution. The solution for this roadway is not an easy one.

Warden Morrison then opened the meeting to the galley and spokesperson, Vince MacLean, extended a thank you to Councillor MacNeil for inviting the residents to Council. He also thanked the Deputy Minister and crew for coming to Victoria County and indicated that his

comments were not meant to be political, personal or derogatory in nature. The road was paved some thirty years ago and was paved without a base. Since that time it has been deteriorating to the point it is today. This road is the shortest access to Route 223 and on to Sydney for residents from Washabuck. The other access is by cable ferry. Mr. MacLean indicated that if you research, you will find that a bridge was designed for Little Narrows approximately 110 years ago.

This area of Central Cape Breton is an integral part of the Bras d'Or Lakes Scenic Drive; a part of the Bras d'Or Lake Biosphere Reserve Designation; home of Maskell's Harbour which when accessed by land, this road must be travelled. The 90th Anniversary of the Cruising Club of America stopped in Maskell's Harbour and had to travel this road for land access. This road is an absolute disgrace.

Mr. MacLean outlined what he felt was required to upgrade the road. He indicated that the road from MacKay's Point to Hazeldale, built in 1983, has a base and chip sealing could salvage this road. He addressed a concern on the 4 way stop and s turn at the Washabuck Bridge, where the water is very deep. He likened this bridge to one in Guysborough where two people lost their lives approximately 10 years ago and he expressed concern that it could happen here.

Lorne Timmerman indicated that safety is a concern when travelling this road. This route is the way out of Washabuck and is unsafe for those who must travel this route.

Bill Hebb also brought up the safety issue and he mentioned the gift of ball caps given to Council members earlier by the Deputy Minister. The only gift the residents in attendance want is a new road. This comment was met with applause.

Elmourne MacKinnon questioned on how many Deputy Ministers there were and how long Mr. LaFleche has been Deputy Minister. After hearing the litany of concerns, he questioned how we came to this position and asked the Deputy Minister straight up front as to what happened on the promised paving commitment on the Cabot Trail that wasn't done this year.

Deputy Minister LaFleche indicated that there are 19 Deputy Ministers in total in Nova Scotia and he is the only one for DOTIR. He has been in this position for over a year and has been a Deputy Minister for 10 years, previously in the Agriculture and Fisheries and Cabinet Secretary and Clerk portfolios. He deferred the Cabot Trail paving to Bruce Fitzner, Chief Engineer.

Mr. Fitzner questioned on the five year promise on Cabot Trail paving and he was advised that former Premier, Rodney MacDonald, made this commitment at the Inverary Resort. He indicated that the Cabot Trail is on everyone's radar. This year, the paving planned was deferred for one year. Due to timing and upfront engineering work and to stay within budget, it was decided to tender this project in the fall and proceed in early spring of 2104.

95% of the 5-year plan has been started or completed as outlined in the plan. 5% has been deferred, but will be done.

Pam Eyking, Liberal Candidate for Victoria-The Lakes, questioned on the kilometres of road in the County and how many have been completed in the last four years, who absorbs the liability if incurred on the Gillis Point Road and whether consideration has been given to a cost-sharing arrangement as in CBRM.

Steve MacDonald presented a rough estimate answer but it was indicated that an accurate answer would be provided in writing. It was indicated that CBRM's proposal encompasses more than J Class roads. On certain projects, municipal cost sharing is required before any provincial money is committed. As far as liability goes, the DOTIR post warning signs, cones, etc. to alert the travelling public. A further written answer will be provided to these questions.

Councillor MacNeil indicated that the dirt roads in the County in general, especially in District #1, are not being maintained. Proper ditching and gravel would make these roads last much longer. Discussion took place on the maintenance budget. It was indicated that DOTIR has to compete with all other departments of government for funding.

Councillor MacNeil indicated that the aggregate material used on roadways in his district in the past has been unacceptable. It was indicated that two separate consultants tested the gravel and it met the requirements. The Department will now test at the point on loading and before the material is placed on the road. This should ensure proper material is being received.

Warden Morrison indicated that his request was for two additional stop signs at the MacLeod Street/Jones Street intersection in Baddeck. He thanked the representatives and public for attending. A frank discussion was held and Warden Morrison again reiterated the good rapport Council has with DOTIR staff.

Warden Morrison requested the Deputy Minister, on behalf of Council, to present retiring employee and County resident, Charlie MacDonald, with a certificate of recognition for his 38 years for service.

Deputy Minister LaFleche indicated that he felt it was very good that Council takes the time to build a rapport with DOTIR staff. It is important to the Department of hear Council's concerns. The comments and discussion from this meeting would be brought to the attention of Minister Smith. The information that has been requested will be provided in writing to the CAO.

Deputy Minister LaFleche thanked Council for the opportunity to appear and the representatives were excused at this time.

RECESS

Warden Morrison advised that Council would recess for 10 minutes.

CAPE BRETON BIKEFEST SOCIETY

Council members agreed to provide \$100 from each district budget for the Cape Breton Bikefest Society.

SKI CAPE SMOKEY

Councillor Dauphinee indicated that the cheque for Ski Cape Smokey was received and is \$2,000.00 less than approved.

OUTDOOR GYM – DISTRICT #8

Two organizations submitted applications for outdoor gym equipment in District #8 – the North Victoria Community Centre and the Dingwall Recreation Society.

Both organization names were placed in a hat and Warden Morrison drew the name from the hat. The Dingwall Recreation Society was the successful applicant.

REN

Warden Morrison indicated that he received information on the proposed REN today that would be brought to CBRM Council In Camera tomorrow evening. The information will be circulated to Council after CBRM's meeting.

TAX BILLS

The tax bills have been mailed and Sandy Hudson advised that there may be duplicate bills for the same account if there is more than one name on the account. He wanted Council to be aware of this fact should they be contacted by their residents.

Discussion took place on tax sales. The next tax sale is scheduled for August 8, 2013, and should be held monthly thereafter.

DIRECTOR OF FINANCE

Sandy Hudson read a letter from Denise MacKinnon, Director of Finance, announcing her retirement from the Municipality. Her last day of work will be August 30, 2013, and she will then be taking the remainder of her accumulated vacation time. Her sick leave payout and other issues will be addressed.

It was moved by Deputy Warden Patterson, seconded by Councillor MacInnis, to accept Denise MacKinnon's resignation/retirement from the Municipality. Motion carried.

Proper acknowledgement of Mrs. MacKinnon's retirement will be done at a future meeting of Council.

Sandy Hudson indicated he would like to begin the search for a replacement. It was felt this position should be filled by a Chartered Accountant with Municipal experience. An interview committee is to be established.

Council are to be provided with the job advertisement prior to it being sent for publication. It was also felt that an appropriate test should comprise part of the interview. Sandy Hudson will contact other municipal units with regard to a job description for this position.

It was moved by Councillor Budge, seconded by Councillor Buchanan, that the Interview Committee consist of Mark Peck, Municipal Advisor, SNSMR; Jim Davis, former Director of Finance and CAO for the Town of Port Hawkesbury; and Sandy Hudson, CAO. Motion carried.

DISTRICT CONCERNS

District #6

The Cabot Trails Lion's Club are hosting their annual golf tournament on July 28, 2013, and have requested the Municipality to enter a team. A team will be entered and anyone interested in participating on the team are to contact Councillor Dauphinee.

District #7

It was moved by Councillor Budge, seconded by Councillor Buchanan, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that the trees on the turn at the foot of Smokey by Halfway Bridge be cut down to improve the sight line for vehicles travelling up Smokey Mountain. Motion carried.

District #8

Councillor Buchanan advised that the annual Bay St. Lawrence Crabfest and Fishing Derby will be held on Sunday, July 21, 2013.

District #4

Councillor MacInnis indicated that Council should continue the dialogue with DOTIR regarding maintenance work throughout the County and the possibility of subcontracting and using a common sense approach to required maintenance work. He mentioned two incidents involving DOTIR repair crews and indicated that DOTIR concerns are one of the biggest issues Council have.

Councillors are to provide the Municipal Office with a detailed list of projects and work they want done and the list be forwarded to Steve MacDonald for review and action.

District #3

Deputy Warden Patterson assumed the Chair.

It was moved by Warden Morrison, seconded by Councillor Buchanan, that Kevin Hashem, Regional Manager, Bell Aliant, be contacted requesting that regular mowing and proper maintenance take place at the Bell Aliant building sites throughout the County. Motion carried.

Warden Morrison returned to the Chair.

Warden Morrison advised that there are free sessions on Economic Development being held at CBU and he encouraged Council to register and attend these sessions if available.

NEXT MEETING

The next meeting of Victoria County Municipal Council will be held at the Court House, Baddeck, on Monday, July 22, 2013, at 5:00 p.m.

Grant Burgess, CA, Grant Thornton LLP, will be in attendance to present the financial statements for the Municipality of the County of Victoria for the year ended March 31, 2013.

ADJOURN

There being no further business, on motion of Councillor Budge, seconded by Deputy Warden Patterson, the meeting adjourned at 7:35 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO

