

VICTORIA COUNTY MUNICIPAL COUNCIL
October 7, 2013

A meeting of Victoria County Municipal Council was held at the Bay St. Lawrence Community Centre, Bay St. Lawrence, on Monday, October 7, 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 #7 – Wayne Budge
District #8 – Johnny Buchanan

Also present was:

Heather MacLean, Recording Secretary

Absent were:

District #6 – Larry Dauphinee (Work Related Absence)
Sandy Hudson, CAO

CALL TO ORDER/APPROVAL OF AGENDA

Warden Morrison called the meeting to order and welcomed the large audience to Council. He thanked the Bay St. Lawrence Community Centre for the excellent meal served to Council prior to the meeting.

The agenda was presented for approval.

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

NORTHERN CAPE BRETON DEVELOPMENT SOCIETY

Warden Morrison extended the courtesy of Council to Ray Fraser and Rob MacDonald who were in attendance representing the Northern Cape Breton Development Society.

Ray Fraser indicated that he is the Chairman of the Northern Cape Breton Development Society that encompasses the area from Neil's Harbour to Meat Cove. The Society has been in existence for seven (7) plus years and is constantly striving for development in this area.

Mr. Fraser outlined some of the activities undertaken by the Society which included the development of a website for Northern Cape Breton; a \$150,000.00 tourism project which resulted in an increase in the number of rooms in this area; spearheading a movement for business website development, regional advertising and a large presence on the Internet via Facebook, Twitter, website and Google Plus site.

The Society has worked hard and will continue to work hard to see the area they cover do better.

Rob MacDonald, a Board member of the Northern Cape Breton Development Society, indicated that they are coming to Council seeking financial support for a project proposed by the Society: the creation of a local economic and small business development centre. The goal of the centre is to help revitalize the economy of the small communities from Meat Cove to Neil's Harbour.

Their funding proposal has also been submitted to ECBC and the Nova Scotia Department of Economic and Rural Development and Tourism. They have a meeting scheduled for Friday, October 11, 2013, with all three levels of government in Bay St. Lawrence.

The Society does not believe that economic development can be effectively delivered from Centres located hours away from the communities. He indicated that the area needs a local Centre because of the geographical remoteness.

Mr. MacDonald indicated that they are asking the Municipality for 15% of the start-up and program costs of the Centre. In the first year, a once-only cost, the Municipality's share of the start-up costs would be \$7,500.00, plus the Municipality's share of the programming costs at the Centre would be \$12,000.00, for a total of \$19,500.00. This equates to \$35.00 per day.

Mr. MacDonald indicated that when they meet with the Province and ECBC on Friday, they would like to be able to say that they have the financial support of the Municipality. Without the Municipality's support, this economic revitalization will not happen.

A question was raised as to the population of the area to be covered under this proposal. It was estimated that the population would be fewer than 2000 people.

Whether any consideration had been given to expanding the area to the Ingonish area was questioned and Mr. MacDonald indicated that the Society did not want to initially overextend itself and Ingonish has a number of businesses and services in their area and have different challenges that the Society's coverage area.

An assessment study that was completed some time ago indicated that Cape North would be the central location for the Centre. The request to the Municipality for the initial year would be \$19,500.00 and subsequent years the amount requested is \$12,000.00.

As Meat Cove is in Inverness County, it was questioned whether contact had been made with this Municipality for funding. A request has not been submitted to date, but Inverness County will be contacted in this regard.

Discussion took place on possible agriculture resources in this area. There is an increased interest in agriculture and organic produce. The viability of developing land for agricultural purposes was discussed and it was indicated that such projects could be developed in conjunction with the area schools and getting the youth involved. The importance of the fishery to this area was also discussed.

Deputy Warden Patterson brought up the concern with regard to the timing of the request and that they are seeking an immediate decision on funding from the Municipality for the meeting on Friday. He advised that the County set their budget more than three months ago, and decisions were made at that time on funding requests. There is a deadline for organizations to apply for funding annually and the decisions have been made for this fiscal year.

The meeting to be held on Friday was discussed and Mr. MacDonald indicated that two representatives from ECBC will be in attendance, a representative from the Small Business Development Centre in Sydney, the Province and Municipality.

Warden Morrison indicated that Councillor Buchanan will be in attendance and he indicated that if possible, he and Councillor MacNeil, Chairman of the County's Economic Development Committee, will attend.

ECBC are being requested for 50% funding and the Province 35%. The remaining 15% is being requested from the Municipality.

What the Society itself intends to contribute was questioned and it was indicated that their contribution would be mainly In Kind.

The priority projects for the proposed small business development centre were questioned. Mr. MacDonald advised that they have a long list of good ideas, but priorities have not been identified. They will work with the communities to identify the priorities.

The question was raised as to where the funding will come from after the first five years for the small business centre to be sustainable. It was indicated that they will charge fees for some programs, look at tapping into existing government programs, and any other means to keep the centre operating once established.

Whether partners such as Victoria Co-op Fisheries have been approached or consideration had been given to raising funds through a CEDIF was questioned.

Council's Economic Development Committee will be meeting prior to Council on Monday, October 21, 2013, to determine lay membership and this matter can be further discussed at that time.

Council agreed to provide support for the meeting on Friday, but no commitment was made to regard to the funding request.

It was moved by Councillor MacInnis, seconded by Councillor Buchanan, that the Municipality support the efforts of the Northern Cape Breton Development Society to establish a local economic and small business development centre to cover the area from Meat Cove to Neil's Harbour. Motion carried.

BAY ST. LAWRENCE COMMUNITY CENTRE

Courtesy of Council was extended to representatives from the Bay St. Lawrence Community Centre – Patsy MacKinnon, Amy MacKinnon, Margaret Fraser, Theresa Buchanan and Margaret Gahlinger.

Patsy MacKinnon, spokesperson for the Centre, presented background information on the work of the Bay St. Lawrence Community Centre over the last ten years (copy attached).

Ms. MacKinnon outlined why the Centre is so important in the community and provided information on the partnerships that have been developed over the years with various organizations.

Ms. MacKinnon indicated that the Centre is seeking financial assistance from Victoria County. Without this assistance, Ms. MacKinnon indicated that the Centre will be forced to close their doors at the end of the year.

Over the past ten years, the Centre has been successful in raising funds for its operations. Major infrastructure upgrades costing in excess of \$500,000.00 have been undertaken. The Municipality has assisted in the infrastructure upgrades.

The financial need they are seeking now is for operations funding - wages, programs, heat, lights and maintenance. Currently provincial funding of \$30,000.00 is in place to cover program wages and costs. \$30,000.00 additional is required and they expect to raise \$10,000.00 locally and are requesting a commitment of \$20,000.00 from Council.

The Board of the Centre are asking Council to make this an annual commitment to the operations of the Centre. The breakdown in funding would be 50% provincial, 17% community and 33% municipality. This amount equates to \$54 per day to help keep the Centre operating.

Councillor MacNeil questioned whether the Board foresees an increase in this annual funding request in future years. Ms. MacKinnon indicated they did not anticipate an increase.

Councillor Grant questioned on whether an annual report and financial statement could be made available to Council. This information will be provided.

Concern was expressed on providing funding on an annual basis. It was indicated that the closure of the Centre would be devastating to the coverage area.

Councillor Budge indicated that he knows the great work the Centre does with the youth. He felt such a request should be dealt with annually and not in the long term.

Councillor MacInnis questioned on the status of the Centre. They are a charitable organization and can issue tax receipts. They do not pay municipal property taxes.

Deputy Warden Patterson reiterated his earlier comments to the Northern Cape Breton Development Society. The County's budget was set more than three months ago and Council would be irresponsible if they made a decision on financial support without the Centre's budget and financial statements.

Ms. MacKinnon indicated that the Center has never asked the Municipality for assistance, other than the two requests for infrastructure upgrades that Council approved.

Councillor Buchanan reiterated the importance of this facility in his district. If the doors of the Centre close, they will not be re-opening.

Whether the restaurant at the Centre is a money maker was questioned and Council was advised that is more of a breakeven venture. It is hard to evaluate, and they look at it in the context of a service to the community and tourists.

Whether this funding request could be deferred until the new fiscal year was questioned. The Centre need the emergency funding now or the Centre will be forced to close its doors.

It was moved by Councillor Buchanan, seconded by Councillor Budge, that the financial request from the Bay St. Lawrence Community Centre be considered and discussed prior to the next Council meeting. Motion carried.

The Centre will provide their financial information for the past three years for Council's information when considering the financial request.

RECESS

Warden Morrison advised that Council would recess for 10 minutes.

PAUL WILLS, MUNICIPAL ADVISOR

Warden Morrison indicated that he neglected to introduce Paul Wills, Municipal Advisor, Service Nova Scotia and Municipal Relations. Mr. Wills recently had a change in his area and is now Victoria County's advisor, along with other areas in Cape Breton and Eastern Nova Scotia.

APPROVAL OF MINUTES – SEPTEMBER 23, 2013

The minutes of the September 23, 2013, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Buchanan, seconded by Councillor Grant, that the Victoria County Municipal Council minutes of September 23, 2013, be approved as presented. Motion carried.

BUSINESS ARISING FROM MINUTES

Cell Phone Coverage

Whether a reply had been received from Kevin Hashem, Bell Aliant, with regard to cell phone coverage was questioned. Nothing has been received as an update on this matter.

The possibility of going to other mobile phone service providers was discussed.

It was moved by Councillor Grant, seconded by Councillor Buchanan, that the CAO contact other mobile telephone providers with regard to service coverage in Victoria County. Motion carried.

UNSIGHTLY PREMISES

Two updates on unsightly premises were received from Sean Donovan, Administrator, Dangerous and Unsightly Premises, with the Eastern District Planning Commission.

The first property of Brian and Faye MacDonald is located at 53 Roper Road, Ingonish. It is recommended that an Order to Remedy Condition be issued from Council to the owners. The Order is to instruct the owners to remove all derelict vehicles, tend to the open foundation and leave the site free and clean of all debris within thirty (30) days or the Municipality will complete the same and recover the costs through property taxes.

It was moved by Councillor MacInnis, seconded by Councillor Budge, that an Order to Remedy Condition be issued to Brian and Faye MacDonald outlining the action to be undertaken within thirty (30) days. Motion carried.

The second property is the property of Leo Asaph, Ronald Asaph, Raymond Asaph, Carleton Asaph, Patsy Cann, Eileen Kotlar, Daniel Asaph, Valerie MacKenzie, Marsha Parsons and Alfred Asaph located on Old Margaree Road, Baddeck.

The recommendation is that an Order to Remedy Condition be issued and that the Order be a Demolition Order issued from Council to the owners instructing that the buildings be demolished and all debris be removed from the property within thirty (30) days or the Municipality will complete the work and recover the costs through property taxes.

It was moved by Councillor Grant, seconded by Councillor MacNeil, that an Order to Remedy Condition be issued on the Asaph property, Old Margaree Road, Baddeck, and the Order be a Demolition Order instructing that the buildings be demolished and all debris removed from the property within thirty (30) days. Motion carried.

COMMITTEE REPORTS

Alternate Energy Committee

Councillor Grant distributed a copy of the draft Wind Turbine By-Law for Victoria County. Revisions have been made as requested and he asked that Council review the document over the next couple of weeks.

John Bain, Eastern District Planning Commission, will review the document with Council and if acceptable, then the by-law approval process can begin.

Transit Feasibility Study

The Transit Feasibility Study has been completed and Chris Prentice, IBI Group, will be in the area tentatively on October 21, 2013, and update Council on the report.

A meeting will tentatively be held at 3:00 p.m. prior to Council on October 21, 2013.

Economic Development

Councillor MacNeil indicated that the Economic Development Committee will meet prior to Council at 4:00 p.m. on October 21, 2013. They will be selecting their community representatives for the Committee and receiving an update on the REN.

DISTRICT CONCERNS

District #1

It was moved by Councillor MacNeil, seconded by Councillor Buchanan, that a letter be forwarded to the Department of Transportation and Infrastructure Renewal requesting that ditching be done in the area surrounding the Little Narrows Community Centre, Little Narrows. Motion carried.

District #7

It was moved by Councillor Budge, seconded by Councillor Buchanan, that the condition of the shoulders of the roads North of Smokey and the undermining of the road across from the Post Office in Neil's Harbour be added to the letter to be forwarded to the Department of Transportation and Infrastructure Renewal. Motion carried.

District #4

Councillor MacInnis brought up the matter of advertising special events in the Municipality on the Victoria County highway road signs. The Home Care Society is celebrating 25 years of operation this year and it would be appropriate to recognize this milestone on the signs at the entrances to Victoria County.

It was moved by Councillor MacInnis, seconded by Deputy Warden Patterson, that the possibility of installing infrastructure on the Victoria County highway road signs to advertise special Victoria County events be investigated. Motion carried.

Councillor MacInnis brought up the matter of community hall property taxes.

It was moved by Councillor MacInnis, seconded by Councillor Budge, that the property taxes paid by all community halls in the Municipality be brought to Council for consideration of the possibility of providing some type of tax exemption for these facilities. Motion carried.

Councillor MacInnis provided Council with an update on the work done by Jim Bradley of Baddeck. He is a partially disabled man who collects recyclables daily, cleans up the roadsides and donates the proceeds of the recyclables to local organizations.

It was moved by Councillor MacInnis, seconded by Councillor Grant, that appropriate recognition be provided to Jim Bradley for his work and dedication to the Baddeck community. Motion carried.

District #8

Councillor Buchanan brought up the issue of the loss of a sanding contract in his district. He requested clarification on this issue from Gerard Jessome, DOTIR.

It was moved by Councillor Buchanan, seconded by Councillor Budge, that a letter be forwarded to Gerard Jessome, District Director – Eastern, DOTIR, questioning on the loss of the sanding contract in the District #8 area and requesting clarification on the status of sanding in this area. Motion carried.

It was moved by Councillor Buchanan, seconded by Councillor MacNeil, that a letter be forwarded to the Cape Breton Island Housing Authority concerning the condition of the ramp at Capstick Manor, the replacement of carpet in the units at Capstick Manor and the concern with regard to the building up at ice and snow in the front area of Capstick Manor. Motion carried.

A resident expressed concern with regard to the lack of services for the mentally and physically challenged residents in the northern area of the County.

It was moved by Councillor Buchanan, seconded by Councillor MacInnis, that a letter be forwarded to the Cape Breton District Health Authority and the Department of Health expressing concern on the lack of services provided to mentally and physically challenged individuals in the North of Smokey area and consideration be given to improving services for physically/mentally challenged individuals in this area. Motion carried.

FIRE DEPARTMENT ISSUE

Councillor Buchanan brought up the matter of the Cabot Volunteer Fire Department and calls he has been receiving regarding same.

Warden Morrison indicated that he has also received calls and as a result, asked the Solicitor to provide an opinion on the relationship between the Municipality and the fire departments registered to provide firefighting services within the Municipality.

The Solicitor replied that the relationship is defined and set out in Part X of the *Municipal Government Act*. Registered fire departments are distinct corporate bodies with their own by-laws and governance structures. They are not agents of the Municipality nor are they municipal enterprises. They are not controlled or directed by the Municipality.

The Municipality may make grants or loans, may guarantee borrowing, or may grant or lend material assets to registered fire departments to help them provide firefighting services. Registration does not give a Municipality authority to control or direct the operations of a fire department.

Discussion took place and Warden Morrison indicated that the Municipality will not become any further involved in this issue.

INSURANCE

Amy MacKinnon brought up the matter of the cost of insurance to not for profit organizations. She questioned whether the Municipality could look into the cost of providing umbrella insurance for all not for profits in the Municipality, so they may receive cheaper insurance rates.

She questioned Paul Wills, Municipal Advisor, if he was aware of this initiative being undertaken in other jurisdictions and he indicated that he could not provide an answer without researching the matter.

Warden Morrison indicated that Council will take this suggestion and see if there is anything that the Municipality can do in this regard.

THANK YOU

Warden Morrison, on behalf of Council, extended a thank you to the Bay St. Lawrence Community Centre for their hospitality and the citizens for their attendance.

ADJOURN

There being no further business, on motion of Councillor MacNeil, seconded by Councillor Budge, the meeting adjourned.

Bruce Morrison, Warden

Sandy Hudson, CAO