

VICTORIA COUNTY MUNICIPAL COUNCIL
September 22, 2014

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, September 22, 2014, 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 #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 #4 – Merrill MacInnis (Out of Town)

CALL TO ORDER/APPROVAL OF AGENDA

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

Deputy Warden Patterson requested that the Highland Manor By-Laws be added to the agenda. Warden Morrison advised that the Clear Bag Collection presentation would be deferred to the next meeting and a brief In Camera meeting will also be held at the end of regular business.

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

OPEN FIRE BURNING

Courtesy of Council was extended to Merrill Bustin, Department of Natural Resources, who was in attendance to discuss Open Fire Burning.

Council provided introductions to Mr. Bustin and he thanked Council for the invitation to appear.

Mr. Bustin provided an overview of the fire regulations and the changes that have been instituted this past winter.

Burning permits are no longer required for domestic purposes. It was decided to modernize the system. Burning permits were not a money maker and the cost of printing permit books made no sense. The Department looked at changes instituted in New Brunswick 10 to 12 years ago where the province was broken down into fire regions. By calling a toll free number, residents can get permission or not, depending on the conditions, if they can burn on that day.

Mr. Bustin indicated that key personnel were hired to do in house fire science located at the DNR office in Shubenacadie. They have information of each forest stand in the province and can calculate the threat of fire in each area. Every day they review the conditions of the day and access each and every County in the Province. At 2:00 p.m. each day the Nova Scotia Burning Restrictions are updated and can be one of three categories:

- Burning brush (domestic burning) is allowed only after 2:00 p.m. and before 8:00 a.m. (Green on map)
- Burning brush is allowed only between 7:00 p.m. and 8:00 a.m. for safety reasons (Yellow on map)
- No domestic brush burning due to high risk of wildfires (Red on map)

Brush burning and camp fires are not permitted in any County from 8:00 a.m. to 2:00 p.m. During wildfire-risk season, March 15 to October 15, you must check before you burn brush.

Residents can go on the DNR website or phone the toll free number to access information on burning restrictions.

Industrial permits remain unchanged. This type of permit is for land clearing and blueberry burns over 2ha. Permits cost \$60.50 and are valid for the duration of the job. An inspection of the site is required before approval is given.

Mr. Bustin distributed various maps and information to Council.

Each fire weather station radios the daily weather to Shubenacadie and they calculate and come up with the danger ratings for the day. The two weather stations in Victoria County are located at the Norman Fire Tower and North Mountain in the Cape Breton Highlands National Park. There are also weather stations located in Coxheath, St. Peter's, MacLeod Settlement in Inverness and Margaree. They are automated system hooked in by satellite.

Mr. Bustin indicated that provincial legislation dictates that DNR staff have jurisdiction over local fire departments for forest related fires. Volunteer fire departments that provide assistance to DNR will be compensated for their costs when they are called upon or when they notify the department of the assistance.

Deputy Warden Patterson indicated that in August 1989 there was a forest fire behind his residence in Boularderie. He questioned on the process for enforcement and Mr. Bustin advised that conservation officers are on patrol and can check on reported concerns.

The number of municipalities that have open fire burning by-laws was questioned and Mr. Bustin indicated that there are by-laws in effect in HRM. There are a few other municipalities that have by-laws in effect.

Councillor Dauphinee questioned on the DNR fire staff and he was advised that is a 4 person fire crew based in Baddeck. He also brought up a concern with regard to beach fires and whether DNR would enforce same. Local fire departments and the RCMP can also assist in this regard.

The closure of fire access roads was discussed and whether DNR had the ability to respond to more than one fire was questioned. Mr. Bustin indicated that there was a fleet of helicopters and trained staff that could be accessed.

The Norman Fire Tower was decommissioned and removed; however a weather station remains in that area. How smoke detecting is now carried out was discussed.

Whether Parks Canada uses DNR data was questioned. They take their own weather data from Cheticamp and North Mountain, but can access DNR information.

Councillor Grant indicated that a couple of weeks ago he detected smoke in an area and phoned 911. This was referred to Shubenacadie who contacted the local fire department. He indicated as he was very familiar with the area, he would have liked to contact the local fire department directly to advise them where to go and the best way to get there. The ability to communicate with various radio systems was discussed.

Councillor MacNeil indicated that Victoria County is a large County and whether at one end of the County may be very different from the other end of the County. He questioned on what information DNR goes by. Mr. Bustin indicated that data is taken from all available weather stations and it should be picked up in the data.

Mr. Bustin indicated that maybe additional weather stations could be requested to provide even more accurate data.

Warden Morrison indicated that Councillor Merrill MacInnis, who is absent this evening, would like Mr. Bustin to come to a future Council meeting to discuss the matter of animal carcasses along the highways. Mr. Bustin agreed to attend a future meeting of Council to discuss this matter.

SCOTIAN WINDFIELDS INC

Warden Morrison extended the courtesy of Council to Mitch Underhay, Project Planner, and Rick Corradini, Wind Consultant, with Scotian Windfields Inc., who were in attendance to make a presentation on the Baddeck Community Wind Turbine Project (copy attached).

Mr. Underhay began by providing information on Scotian Windfields Inc. and outlined previous and current COMFIT projects throughout Nova Scotia. The Scotian Windfields Family is comprised of eight active local Windfields that have invested in Scotian Windfields Inc. to develop renewable energy projects in Nova Scotia.

Isle Windfield operates in Inverness, Victoria, Cape Breton and Richmond Counties and was incorporated in 2004. Isle Windfield is community owned through a Community Economic Development Investment Fund (CEDIF). A CEDIF is a pool of capital, formed through the sale of shares, to persons within a defined community, created to operate or invest in local business.

Mr. Underhay advised that WEB Wind Energy North America, a community owned developer from Austria, is a project development partner with Scotian Windfields. He outlined the energy and environment context indicating the main benefits of wind energy in Nova Scotia.

The Community Feed-In Tariff (COMFIT) Program help small scale energy producers realize their projects. The COMFIT Program encourages community-based, local renewable energy projects by guaranteeing a rate per kilowatt-hour for the energy the project feeds into the province's distribution grid. The price is set by the UARB based on the cost of production. Eligible organizations include municipalities, CEDIFs, First Nations, Co-ops/Not for Profits and Universities. Projects can be wind, co-gen, tidal and hydro. 100% of the electricity is fed to a local substation.

Mr. Underhay then provided information on the proposed Baddeck Community Wind Project. This project is a single turbine project. It is a 1.70 MW COMFIT Award and 100% of the power will be consumed locally by approximately 400 homes. The proposed turbine is a Vestas V100, with a hub height of 95m, 50 m blades with a 314m² swept diameter and a total height of 145m. The proposed sight is approximately 6.5 km north of Baddeck.

Mr. Underhay outlined the requirements municipally/provincially/federally. A wind turbine license is required that is co-signed with the property owner and renewed every five years. There must be a decommission plan and community information meetings must be held. The turbine must be 100m from a dwelling and Mr. Underhay indicated that the closest dwelling in the proposed project is 1120m. It must be 1.5X height (225m) from parcel boundary.

The requirements through the Departments of Environment and Energy were outlined, as well as federally through NavCan and Department of Natural Defence.

Community wise public meetings will be held. A Community Liaison Committee will be established and a community dividend of 1% of the annual revenue will be provided (approximately \$7,700.00).

Mr. Underhay outlined the timeline for the Baddeck Community Wind Turbine Project. October 2013, the COMFIT Project Award was received. From April 2014 to 2015, wind testing will be completed. In June 2014 a mail out was done and further public meetings are to be announced. Today's meeting with Council is part of the process and public hearing dates will be set and announced at a later date. The target date for construction and installation is December 2015.

Councillor Grant indicated that the County has an Alternate Energy Committee that would be available to meet and discuss specifics of the project.

Councillor Buchanan questioned on how they determine the size of the turbine to go on the site. The license granted is only for a certain amount of electricity and they cannot produce more than the demand. The same turbine has been located on all other sites to date and this is great for maintenance and keeping the fleet consistent.

Councillor Dauphinee mentioned the new wind turbines located at Southside Boularderie and questioned on health concerns with relation to wind turbines.

Mr. Underhay indicated that Health Canada has completed a study that should hopefully come out in the next 3 to 4 months. The proposed wind turbine is over 1 km from residents and this is greater than the requirements.

Deputy Warden Patterson questioned where the closest residents were to the proposed project and Mr. Underhay showed the site on the map. Deputy Warden Patterson advised that he has seen wind turbines at many of the sites in the province, and he thinks they are pleasing esthetically.

Warden Morrison questioned on the community dividend of 1% and how this is dealt with. Mr. Underhay indicated it would be ultimately up to the Community Liaison Committee to decide.

Notices were sent to landowners some time ago and Warden Morrison questioned if there was any feedback received. Mr. Underhay indicated that they have a communications person who deals with the community aspect of the project and he has personally heard nothing.

It was felt that the community meetings are important and should be scheduled sooner than later.

Council was advised that the project moving forward is the one first proposed for Bucklaw. Rick Corradini indicated that it is his job to find the best site based on wind, setbacks and access to the grid. The Baddeck site exceeds the requirements.

Further questions and discussion took place and arrangements will be made through the Chairman to meet with the Alternative Energy Committee. The arrangements for communication consultation sessions will also begin.

Warden Morrison extended a thank you to Mr. Underhay and Mr. Corradini for their presentation.

RECESS

Warden Morrison advised that Council would recess for 10 minutes.

APPROVAL OF MINUTES – SEPTEMBER 8, 2014

The minutes of the September 8, 2014, meeting of Victoria County Municipal Council were presented for approval.

It was moved by Councillor Budge, seconded by Councillor Buchanan, that the September 8, 2014, minutes of Victoria County Municipal Council be approved as presented. Motion carried

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

NEW BUSINESS

MEAT COVE

Councillor Grant questioned on whether a reply had been received from Inverness County for reimbursement to Victoria County for the services provided to the Meat Cove area.

The CAO indicated that he has corresponded with Joe O'Connor, CAO, Inverness County, and has asked Mr. O'Connor to provide a dollar amount they are willing to pay. He will follow up on this matter.

CAPE BRETON SUMMIT

Warden Morrison advised that CBRM will be hosting the annual Cape Breton Summit at the Gaelic College, St. Ann's, on a date to be determined in late November. The primary focus of the Summit is to create a Cape Breton Island Tourism Strategy. Council will be further advised when the date has been set by CBRM.

FINANCIAL INFORMATION

The CAO presented Council with a pie chart indicating the revenue and expenditures for the Municipality for 2014-2015. This information is available at the tax office for the public and will be put on the County website.

ELECTORAL BOUNDARY REVIEW

The CAO provided Council with a report outlining the options for consideration in the Victoria County Electoral Boundary Review. He requested Council to review the options prior to the next session on October 6, 2014, to determine what will be presented at the public hearings. The two public hearings (one north and one south) will be held later in October and a Council decision on the review will be made on the November 17, 2014, Council session to enable the report to be submitted to the UARB in early December, 2014.

Mr. Hudson advised that articles will appear in the *Victoria Standard* in this regard and will also be on the County website for review. He indicated that he would like to sit down with Councillors Budge and Dauphinee to determine a boundary line between their districts.

Councillors were encouraged to attend the public hearings when they are scheduled.

HIGHLAND MANOR BY-LAWS

Deputy Warden Patterson presented proposed revisions to the Highland Manor By-Law.

It was moved by Deputy Warden Patterson, seconded by Councillor Budge, to table the proposed revisions to the Highland Manor By-Law and bring to the next Council session. Motion carried.

DISTRICT CONCERNS

District #1

Councillor MacNeil brought up a concern about a beaver dam that is now halfway across the Barra Glen Road and a hole in the Walker Road that is about 4 ft. wide by 3 ft. deep with six cones currently surrounding it.

It was moved by Councillor MacNeil, seconded by Councillor Buchanan, that a letter be written to Darren Blundon, Area Manager, Department of TIR, requesting that action be taken on the concerns outlined on the Barra Glen Road and Walker Road. Motion carried.

Councillor MacNeil advised that Central Cape Breton Community Ventures and Aros Na Mara will be holding a public information session on September 23, 2014, at 7:00 p.m. in the Tuning Room, Nova Scotia Highland Village, Iona, regarding the Bras d'Or Lakes, marine energy research, and CBU.

Councillor MacNeil requested that, if still within his street light allotment, a light be ordered for installation on a pole in the vicinity of 21 Plaster Cove Road, Iona.

District #2

Councillor Grant advised that the Trails Group has expressed interest in acquiring a tractor that is no longer in uses at the Baddeck Solid Waste Management Facility.

There will be a number of surplus items placed on tender later this fall and the tractor will be included in the items tendered.

District #8

Councillor Buchanan advised that a resident of his district had contacted Nova Scotia Power to have lights replaced on two consecutive poles on the left hand side at 129 Courtney Road. The County office will follow up on this matter with NSPI.

Councillor Buchanan indicated that the Dingwall Recreation Society is looking for a Civic Address for the leased property at Dingwall. He was advised to contact Bryne Butts at the Eastern District Planning Commission.

Councillor Buchanan advised that he has received approximately 15 calls concerning water in the Cape North and Bay St. Lawrence area.

The CAO updated on the wells currently being drilled in the Neil's Harbour area.

An announcement has not been made as yet on the infrastructure and the Build Canada Fund.

Councillor Buchanan questioned if there was any feedback on the proposed Green Cove Monument. Nothing has been heard in this regard for some time.

District #6

Councillor Dauphinee indicated that just past Ski Cape Smokey there is a section of pavement missing which is a danger.

It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that a letter be forwarded to Stephen MacDonald, Area Manager, Department of TIR, requesting that repairs be undertaken to the missing section of pavement past Ski Cape Smokey. Motion carried.

District #5

Deputy Warden Patterson requested that NSPI be contacted with regard to the installation of a street light at 11981 Kempt Head Road. The pole where the light is to be located is a double pole.

Councillor Dauphinee requested that contact be made with NSPI concerning the installation of a street light that was ordered some time ago to be installed in Ingonish Centre.

COMMITTEE REPORTS

CEPI MEETING

Councillor MacNeil advised that he attended a CEPI meeting recently and they want to adopt a land development standard around the Bras d'Or Lakes. They will be requesting to make a presentation to Council on this matter

AGE-FRIENDLY CONFERENCE

The inaugural Age-Friendly Conference was held at the Inverary Resort, Baddeck, on September 12, 2014, with approximately 60 participants. The participants were made up of elected officials from across the province, District Health Authority representatives, Community Links and seniors. The conference went off without a hitch and with good feedback.

Warden Morrison recognized Deputy Warden Patterson and his committee for planning the event.

DOCTOR RECRUITMENT FAIR

Councillor Grant attended a doctor recruitment fair in PEI last week and shared a booth with the Cape Breton District Health Authority. He indicated that there were a number of doctors in attendance and Victoria County contributed a prize. It was a learning experience and he felt there is a need to improve our information and presentation for future years. The recruitment session will be held on September 25, 2015, and he felt work should be carried out to be ready to again attend.

Councillor Grant indicated that there is also job fairs for nurses and there should be attendance at these as there is a shortage of nurses in the area also.

Warden Morrison indicated that a meeting will be coordinated with the recruitment committees from both areas of the County on October 20, 2014, in Ingonish. Council may also be held in Ingonish on that date.

FCM BOOTH

Investigation will be done with other municipalities at the Cape Breton Summit concerning interest in a joint booth at the FCM in Edmonton next spring.

BADDECK LIBRARY

A meeting of the Cape Breton Regional Library Board is scheduled for next week and it was indicated that an update on the structural issues at the Baddeck Library is requested.

COMMUNITY CONSULTATION ON AFFORDABLE HOUSING

At the last Council meeting, Council were provided the report on the Community Consultation on Affordable Housing completed by Alicia Lake.

It was moved by Councillor Dauphinee, seconded by Councillor Buchanan, that the Report on the Community Consultation on Affordable Housing be accepted. Motion carried.

IN CAMERA

It was moved by Councillor Buchanan, seconded by Councillor MacNeil, to move In Camera. Motion carried.

It was moved by Councillor Budge, seconded by Councillor Buchanan, to return to the regular session of Council. Motion carried.

CELL SERVICE AGREEMENT

It was moved by Deputy Warden Patterson, seconded by Councillor Budge, that the CAO be authorized to sign the funding agreement with regard to cell service. Motion carried.

WATER OPERATOR CONTRACTS

Whether the contracts had been signed with the water operators was questioned. The CAO advised that the agreements have not been signed but should be completed in the near future.

UNION NEGOTIATIONS

The Negotiating Committee will be meeting with CUPE Local 2694 representatives on Friday, September 26, 2014, at 10:00 a.m. at the Court House, Baddeck.

ADJOURN

There being no further business, on motion of Councillor MacNeil, seconded by Councillor Buchanan, the meeting adjourned at 7:00 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO