

VICTORIA COUNTY MUNICIPAL COUNCIL
January 4, 2016

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, January 4, 2016, 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 presented the agenda for approval.

It was moved and seconded that the agenda be approved as presented. Motion carried.

FOIPOP REQUEST

Warden Morrison advised that a FOIPOP (Freedom of Information Protection of Privacy) request was received to access a record from Susan Allen and LNC MacIntosh on behalf of CBC. The request was addressed to the CAO/Clerk of the County of Victoria and received December 22, 2105.

The record they are requesting to access is the expense claims for Council and the CAO for the years 2014 and 2015. A request has been made that the fee for providing this information be waived.

The CAO advised that as he is named in the request, he has stepped back and requested Leanne MacEachen, Director of Finance, to handle this request.

Ms. MacEachen indicated that the same request was received by all Cape Breton municipalities. She anticipates that some will charge fees and some will not, based on the work involved.

The Municipality may charge \$15.00 per one-half hour to compile this request. Ms. MacEachen felt it would take approximately 2 days to access the records for the nine people involved. The records would have to be accessed, photocopied and then refiled. Based on the allowable fee, she indicated it would cost approximately \$500.00 plus to provide this information.

Discussion took place. It was felt that we should be as open and transparent as possible. Whether the costs requested were already included in the financial statements was discussed.

It was moved and seconded that we comply with the FOIPOP request and waive the fee associated with compiling the information. Motion carried.

TAXATION MATTERS

The CAO distributed a document outlining that the current taxes outstanding at March 31, 2015 was \$989,533.96. Current taxes outstanding to December 31, 2015, amount to \$1,207,107.79. He outlined that the goal to March 31, 2016, is to reduce this figure to lower than it was a year ago. He indicated he would meet with Tax Office staff to determine what this figure will be and update Council at the next session. Council will be provided with an update on collections at the end of each month.

He indicated that he and the Director of Finance met with Anne Marie MacNeil today with regard to title searches for the next twelve months. She will be assigned 115 accounts which she will bring up to date in terms of title issues, assessment issues and description issues. These 115 accounts represent \$755,195.15.

He indicated that not all these accounts will be able to go to Tax Sale until whatever issues they have are addressed as fixable, acceptable or impossible. He indicated that an application will be made to the Courts with regard to one outstanding account with approximately \$25,000.00 owing.

When Ms. MacNeil has updated the searches, Council will be provided with a summary and Council can then decide to accept the risk or not.

Whether a disclaimer could be included in Tax Sale ads was questioned. CBRM does have a disclaimer indicating they make no representations or warranties to any purchaser regarding the land offered for sale for any particular use and are being sold on an "as is" basis only.

The amount of risk the Municipality is willing to take is a decision of Council.

Councillor Grant provided comparison percentages of uncollected taxes in Nova Scotia municipalities and indicated that Victoria County is the worst in the province by a significant margin. He felt that there has been no progress on getting the uncollected taxes down to an acceptable threshold.

He brought up the issue of taxation on federal properties and the fact that they do not pay the entire amount billed. He felt this should be appealed and they should pay as billed.

Discussion took place on the tax receivables and the reserve for uncollected taxes outlined in the financial statements.

Councillor Grant indicated that the auditors suggested it is the responsibility of the Warden and Council to look into this matter and he questioned whether contact has been made with the Department of Municipal Affairs to assist with this issue.

The legal cost associated with Tax Sale title searching was questioned. Councillor Grant felt there should be a concerted effort to clear up the tax arrears within a 3 year period.

Councillor Grant brought up the issue of a policy on what is going to be the limit for Tax Sales. He requested that other municipalities be contacted to see if they have a policy on collection limits.

Tendering properties was questioned and it was indicated that properties can be put to tender after they have been put on Tax Sale three times and are unsold.

Anne Marie MacNeil will be hired on contract for a 12 month term and will work from her residence. Councillor Grant felt it would be beneficial for her to work in the Court House. The CAO indicated that she will be able to work more efficiently from home and they will see how it progresses. She will provide weekly reports.

Councillor Grant brought up the solicitor costs and the possibility of hiring our own solicitor for a two year term. It was indicated that the Solicitor costs amount to approximately \$50,000.00 for all services provided and this would not be cover the cost of our own full-time solicitor.

Further discussion took place and Warden Morrison indicated that they would search the issue of tax limit policies; properties that could be possibly put on tender and discuss the risk Council would be willing to assume. Monthly progress reports will be presented to Council.

Terry Murray expressed her appreciation to Councillor Grant for being tenacious in ensuring the Municipality is fiscally responsible.

APPROVAL OF MINUTES – DECEMBER 7, 2015

These minutes will be approved at the next session of Council on January 11, 2016.

NEW BUSINESS

Wagmatcook Court Pilot Project

In speaking with Chief Norman Bernard, Wagmatcook First Nation, there is consideration being given for a pilot project for a Court system in Wagmatcook.

It was moved and seconded that a letter be forwarded to the Minister of Justice in support of a Pilot Project for a Court system for Wagmatcook. Motion carried.

REN Meeting

Warden Morrison indicated that he attended a REN meeting on December 30, 2015, concerning the four municipalities travelling to Ottawa to meet the new government, including our two Cape Breton MPs. The trip is planned for the last week of February, 2016, and Council are to consider and provide a list of their priorities.

Warden Morrison advised that five Council members are approved under the REN and the cost of additional Councillors attending will be supported by the Municipality.

A further discussion on this matter and Council's priorities will be held at the next Council session.

DISTRICT CONCERNS

District #6

It was moved and seconded that \$1,000.00 total be provided from the District #6, #7 and #8 budget to Cabot High, c/o Leo Donovan, to assist their robotic programming group. Motion carried.

Councillor Dauphinee indicated that he was contacted by a resident who was advised that the local Councillor was to be contacted to arrange a Fire Arms Training course.

It was moved and seconded that a letter be forwarded to the Minister of Environment concerning the responsibility for Fire Arms Training course. Motion carried.

District #7

It was moved and seconded that \$200 be provided from the District #7 budget for Cape Smokey Home and School. Motion carried.

Councillor Budge indicated that he has heard that the Department of Fisheries are considering cutting the fishing limit in the Aspy River to 3 fish daily, with only one over 14 inches. The current limit is five fish daily with no size limit.

It was moved and seconded that a letter be forwarded to Darrell Murrant, Department of Fisheries, requesting that before a decision is made, Council would like to have a conversation on the fishing limit in the Aspy River. Motion carried.

District #8

Councillor Buchanan brought up concern with regard to the snow removal equipment located in Cape North. They are currently operating with one truck plow in this area. The salt truck is out of commission, the loader has been moved to Ingonish and another salt truck has been damaged and will be out of service for a couple of months. This is unacceptable.

Warden Morrison indicated that he also had calls of concern with regard to this matter.

Stephen MacDonald is to be contacted to see if he can attend Council on January 25, 2015. It was felt that the MLA should be requested to attend also, along with Nelson Dixon, Area Supervisor.

This concern was expressed in a letter to the Minister of TIR prior to the winter season, but a reply has not been received.

It was moved and seconded that a letter be forwarded to Parks Canada requesting information on the cost of the recent moose cull in the Cape Breton Highlands. Motion carried.

District #4

Councillor MacInnis questioned on when Staff Sgt. Craig Yorke, RCMP, would be appearing before Council.

The CAO advised that the RCMP would be attending Council after their year end of March 31, 2016.

Councillor MacInnis indicated that the striped bass is an invasive species in the Aspy River and these fish cannot be taken under 28 inches. They are bottom feeders who feed on lobster, etc. He indicated he would like an explanation on this matter.

It was indicated that Ray Briand is presently undertaking a pilot project on the striped bass in conjunction with Bruce Hatcher, CBU. These gentlemen are to be requested to come to Council in February, 2016, on this matter.

District #2

Councillor Grant advised that to date, \$15,000.00 has been raised for the *From Syria to Baddeck* sponsorship. This amount will sponsor one family and application will be made for a family shortly. The target is to raise \$30,000.00 to sponsor two families.

District #1

Councillor MacNeil indicated that the flooding that occurs each rain/snow melt at the bridge as Maskell's Harbour is a serious issue. There are pylons on each side of the road and now the Washabuck Mountain Road is now being plowed either. There is a salt truck broken down that services this area also.

Councillor MacNeil requested that Darren Blunden, Area Manager, DTIR, be also requested to come to Council on January 25, 2016.

COMMITTEE REPORTS

Councillor MacNeil indicated that an Economic Development Committee meeting was held and a Committee is to be established with regard to the strategy. This is to be a 3 person committee with hopefully one member from south, one from north and Councillor MacNeil or Deputy Warden Patterson.

CORRESPONDENCE

1. A letter was received from Eddie Keeling, Chairman, Village of Baddeck, advising that the Village has been working closely with the Department of Environment to review and update their boil order protocol and standard operating procedures. These procedures are now in place and a backup operator is available to step in, in the event that the supervisor is away.

PROTECTED LANDS

Warden Morrison brought up the article in the *Chronicle Herald* regarding the protected lands issue and the amount of protected areas in our County. The economic impact the protected lands has on the Municipality was discussed and it was felt the Department of Environment should consider issues such as access, use and development of these areas.

FERRY RATE ISSUE

Councillor MacNeil brought up the ferry rate issue and that fact that the rates are still a concern in his area.

It was moved and seconded that a letter is to be sent to the Minister of Transportation expressing concern on the ferry rate issue and indicating that Council wish to send a delegation to Halifax to meet with the Minister and his ferry operations staff as soon as possible.

DISTRICT BUDGET BALANCES

The balances in the district budgets are to be provided for the next meeting.

ADJOURN

There being no further business, the meeting adjourned at 6:30 p.m.

Bruce Morrison, Warden

Sandy Hudson, CAO