

**VICTORIA COUNTY MUNICIPAL COUNCIL**  
**October 15, 2007**

A meeting of Victoria County Municipal Council was held at the Court House, Baddeck, on Monday, October 15, 2007, beginning at 5:00 p.m. with Warden Wayne Budge in the Chair.

Present were:

District #1 – Paul MacNeil  
District #2 – Keith MacCuspic  
District #3 – Bruce Morrison  
District #4 – John Graham MacInnes, Deputy Warden  
District #5 – Fraser Patterson  
District #7 – Wayne Budge, Warden  
District #8 – Robert MacLellan

Also present were:

Sandy Hudson, CAO  
Heather MacLean, Recording Secretary

Absent was:

District #6 – Lawrence Barron

**CALL TO ORDER**

Warden Budge called the meeting to order.

**APPROVAL OF AGENDA**

**It was moved by Deputy Warden MacInnes, seconded by Councillor Morrison, that the agenda be approved as presented. Motion carried.**

**APPROVAL OF MINUTES – SEPTEMBER 10, 2007**

The minutes of the September 10, 2007, meeting of Victoria County Municipal Council were presented for approval.

**It was moved by Councillor MacCuspic, seconded by Councillor Morrison, that the Victoria County Municipal Council minutes of September 10, 2007, be approved as presented. Motion carried.**

**BUSINESS ARISING FROM MINUTES**

**Gaelic College**

No reply has been received from the Gaelic College.

**Victoria County Websites**

Councillor Patterson and Sandy Hudson will meet with Sue Difiore regarding the Victoria County websites in mid-November. She is out of town until then due to the death of her mother.

**EMO Training**

Councillor Patterson indicated that he and Deputy Warden MacInnes would be attending EMO training in Ottawa from February 25-29, 2008.

**Seasonal Tax**

Sandy Hudson advised that Mark Peck, Municipal Advisor, has taken the matter of the 25% tax rebate to seasonal tourist businesses to a Committee at the Deputy Minister level. They have reviewed this matter and are moving on it; however, at this point it is unknown as to their recommendations.

**RCMP PRESENTATION**

Warden Budge extended the courtesy of Council to Staff Sgt. Archie Thompson, RCMP.

Staff Sgt. Thompson updated Council on policing in Victoria County. The Victoria County District Policing concept is working quite well and is an efficient system. It allows for more flexibility in that members and resources can be shared between Ingonish Beach and Baddeck. If a situation occurs in either area, resources can be allocated to that area. The system allows for better coverage of the Municipality.

Staff Sgt. Thompson indicated that Victoria County is one member short of a full complement, as one member is presently off on paternity leave. One member recently returned to active duty. A new school resource position has been established out of the Ingonish Detachment and this member travels throughout the Municipality. He indicated that application has been made for a street crime position, that if approved will be responsible for working on street level drug crime.

The RCMP house for the Dingwall area will be going to tender on October 19, 2007.

Staff Sgt. Thompson indicated that he conducts an annual performance plan and he would welcome input as to areas where Council feel the RCMP should be concentrating. He encouraged Council to contact him on any matters, as he indicated the RCMP cannot react unless they are aware.

Sandy Hudson questioned on the RCMP workload within the National Park during the summer months. The Municipality feel they should not be paying for policing within the National Park. Staff Sgt. Thompson indicated he would have statistics he could provide regarding this matter.

The new federal building for Ingonish is proceeding. This will serve the National Park, as well as the RCMP.

Staff Sgt. Thompson indicated that with the closing of the Membertou Detachment, Victoria County has benefited by obtaining cell block video equipment for the Baddeck Detachment and interview room equipment for the Ingonish Detachment.

Staff Sgt. Thompson questioned on the status of the Police Advisory Board for the Municipality. Warden Budge indicated that this is something the Municipality will have to work on.

A vote of thanks was extended to Staff Sgt. Thompson and he was invited to come to Council in early spring, 2008, to provide Council with a further update.

### **CORRESPONDENCE**

1. Letter from Athol Grant, Rare Earth Venture Inc., to the Eastern District Planning Commission regarding the administration of the application for subdivision approval for lands of Rare Earth Ventures Inc. and others at Bucklaw, Victoria County.
2. Letter from John Bain, Director, Eastern District Planning Commission, to Rare Earth Ventures Inc., advising that he will not be able to approve the Rare Earth application as directed, but expects that approval could be forthcoming before November 18, 2007.

Deputy Warden MacInnes and Councillor Morrison are members of the Eastern District Planning Commission Board and indicated they would welcome opinions from Council on this matter.

3. Two letters from Josephine MacNeil, President, CUPE Local 2694, requesting that the Economic Development position and Animal Control Officer position be filled.

**It was moved by Councillor Patterson, seconded by Councillor Morrison, that letters be forwarded to the Union advising that their requests were presented to Council and at present, there is no change in the Council's position regarding these staffing matters. Motion carried.**

4. Letter from Judith Ferguson, Deputy Minister of Community Services, in reply to Council's request for a meeting to discuss concerns with regard to delivery of services in Victoria County. She indicated that the Department declined to attend such a meeting.

**It was moved by Councillor Morrison, seconded by Deputy Warden MacInnes, that copies of the correspondence be forwarded to Keith Bain, MLA, expressing Council's displeasure with the responses received from the Department of Community Services. Motion carried.**

It was also indicated that Judy MacLellan has accepted a position with the Department of Natural Resources and her position with the Baddeck office of Community Services is now vacant. Concern was expressed as to where this position would be filled.

Sandy Hudson also advised that for Council's information, the mapping position at the Baddeck Registry of Deeds is being relocated to Sydney effective April 1, 2008. Lauchie MacLean will be transferring to Sydney and Claire Ross will be coming to the Baddeck Office of the Registry of Deeds.

5. Approval was received from both the Eastern District Planning Commission and the Department of Transportation and Public Works, for naming the unnamed private road at Baddeck Inlet as "Eagle's Way".

**It was moved by Councillor MacCuspic, seconded by Councillor MacNeil, that Council approve the name "Eagle's Way" for the private road at Baddeck Inlet. Motion carried.**

### **CAPE BRETON ISLAND MARKETING STRATEGY**

Sandy Hudson advised that four (4) proposals were received for the development of the Cape Breton Island Marketing Strategy. The Evaluation Committee will review the proposals on October 22, 2007. A consultant will be selected by October 29, 2007, and a meeting will be held on October 30, 2007, at the Gaelic College at 10:00 a.m. at which time the successful consultant will make a presentation to the Steering Committee and the Board of Directors of Destination Cape Breton Association to inform them of the process which will be followed for the Strategy.

**WORKSHOP – PRACTICING LOCAL GOVERNANCE: NORTH PERSPECTIVES**

Sandy Hudson advised that the University of Tromso and Dalhousie University are hosting a workshop at the Inverary Resort, Baddeck, from November 9-12, 2007. Delegates in attendance will be from Russia and the Nordic Countries.

Richard Apostle, Dalhousie University, met with Council in June and requested Council meet with this group. The date has been set for November 10, 2007, from 4:00 pm. to 7:00 p.m., followed by a dinner.

**RECESS**

Warden Budge announced that Council would recess for 10 minutes.

**CAPITAL BUDGET**

Sandy Hudson presented the 3 year capital budget for review and approval. The Gas Tax Agreement requires that such a budget be developed and approved.

**It was moved by Councillor Morrison, seconded by Councillor MacCuspic, that the 3 year capital budget be approved as presented. Motion carried.**

**BUILDING REGULATION PRESENTATION**

Courtesy of Council was extended to David MacKenzie, Building Inspector, and John Bain, Director, Eastern District Planning Commission.

David MacKenzie indicated that it is a legal requirement in Nova Scotia to obtain a building permit for any construction project. He explained the process and documentation requirement when applying for a building permit. In areas where there is a Land Use By-Law in effect, it is also necessary to obtain a development permit. On-site inspections are conducted at various stages of the construction project to ensure that National Building Code standards are met.

The Department of the Environment regulations regarding lot size and on-site sewage system requirements were explained to Council, as well as Department of Transportation requirements.

The question was raised as to who is responsible to ensure an adequate water supply. John Bain advised that potable water is not an issue that is looked at when issuing a building permit.

The documentation and inspections done by the Department of the Environment concerning on-site sewage systems were discussed. The Department of the Environment requires that an application for an on-site sewage system is supported by an assessment and a selection of on-site sewage disposal system by a QP (qualified person) recognized by the Department. A copy of the QP Report is usually received by the Building Inspector.

**It was moved by Councillor Morrison, seconded by Deputy Warden John Graham MacInnes, that the Department of the Environment be requested to conduct an audit on all waterfront properties for which an on-site sewage installation permit has been issued and a report of this audit be forwarded to the Municipality. Motion carried.**

Crown Jewel Resort is building an airport hangar and feel that they do not require a building permit, as airports are under federal jurisdiction. John Bain indicated that he is looking into this matter.

Discussion took place on unsightly premises within the Municipality. One particular site was mentioned and John Bain the site would be revisited.

The Rare Earth Ventures letter regarding subdivision approval was discussed and John Bain indicated the process followed and advised that the approval was granted on October 12, 2007, for this subdivision.

Further discussion took place and Warden Budge extended a vote of thanks to Mr. MacKenzie and Mr. Bain for their report.

### **DISTRICT CONCERNS**

#### **District #3**

Councillor Morrison expressed concern on the unsightly condition of the tennis court property in Baddeck. The property is owned by the Baddeck Community Club.

**It was moved by Councillor Morrison, seconded by Councillor MacCuspic, that a letter be forwarded to the Building Inspector requesting that he visit and carry out an inspection of the Baddeck Community Club property. Motion carried.**

#### **District #5**

Councillor Patterson presented a petition he received from a resident of his district regarding a road name change in the Ingonish area. The road in question is in Councillor Barron's district.

**It was moved by Councillor Patterson, seconded by Councillor MacCuspic, that pending Councillor Barron's approval, the petition for the road name change be forwarded on to the Department of Transportation and the Eastern District Planning Commission. Motion carried.**

Councillor Patterson advised of another incident regarding the Kempt Head Road which took place in August. He indicated that he visited the EHS office and a new GPS tracking system has been recently put in place which should solve the problems. He will visit the EHS office again to see how the system is working.

**District #1**

Councillor MacNeil indicated that there is a street light at the old Rankin School site which he would like relocated to the new school. This can be done by providing the civic addresses of the locations to the Municipal Office and a purchase order will be issued to NSPI for the work. It was indicated that the NSPI now request that the power poles involved be marked with tape.

Councillor MacNeil indicated that a Dan E. MacNeil Memorial Dinner will be held at the Nova Scotia Highland Village and he was questioned as to whether the County would be interested in donating money towards the cost of the dinner.

It was felt this matter would be best handled through the Councillor's district budget.

Councillor MacNeil indicated that one property was overlooked when the heavy garbage collection was undertaken and the property owner is questioning whether the items would be removed this year. Robert Dauphinee is to be contacted concerning this matter.

**District #2**

**It was moved by Councillor MacCuspic, seconded by Councillor Morrison, that a letter be forwarded to the Department of Transportation requesting that signage indicating "Buckwheat Drive" be erected. Motion carried.**

Councillor MacCuspic indicated that he received a petition from residents requesting that a street light be installed at the eastern entrance to the Beverly's Hill Road. Discussion took place.

**It was moved by Councillor MacCuspic, seconded by Deputy Warden MacInnes, that a letter be forwarded to the Department of Transportation requesting that they install a light at the eastern entrance to the Beverly's Hill Road,**

**and if the reply is not favourable, the Municipality look into the cost of installation of this light. Motion carried.**

Discussion took place on Canada Post's safety audit concerning the adequacy and safety of rural delivery mail boxes.

**DEMOCRACY 250**

Correspondence was received from former premiers, John Hamm and Russell MacLellan, requesting the Municipality to support the 2008 celebrations for the 250<sup>th</sup> anniversary of the birth of democracy in Canada.

**It was moved by Councillor Morrison, seconded by Councillor MacLellan, that the Municipality send a letter of support for the 250<sup>th</sup> anniversary celebrations of the birth of parliamentary democracy in Canada. Motion carried.**

**District #7**

**It was moved by Deputy Warden MacInnes, seconded by Councillor MacCuspig, that the following be approved from the District #7 budget:**

- **\$1,000.00 for the North Ingonish Community Hall**
- **\$1,000.00 for St. Andrew's Parish Hall**
- **\$1,000 for St. Francis Parish Hall**

**Motion carried.**

**NEXT MEETINGS**

An Audit Committee/Committee of the Whole meeting will be held on Monday, November 5, 2007, at 5:00 p.m.

The next meeting of Victoria County Municipal Council will be held on Monday, November 19, 2007, at 5:00 p.m.

**ADJOURN**

**There being no further business, on motion of Councillor Patterson, seconded by Deputy Warden MacInnes, the meeting adjourned.**

**Wayne Budge, Warden**

**Sandy Hudson, CAO**

