

RICHMOND COUNTY MUNICIPAL COUNCIL
FIRST ANNUAL SESSION OF THE 45TH COUNCIL

JUNE 18, 2001

Location: Court House, Arichat

Warden Cotton called the meeting to order at 7:00 p.m. and asked everyone to stand for the singing of O'Canada.

The Clerk took roll call of Councillors.

Opening Remarks of the Warden

Warden Cotton presented his opening remarks (copy attached) of the Annual Council Session, summarizing the activities and progress that have taken place during the past year. He thanked Councillors for their initiatives, proactiveness and dedication and thanked all staff for their cooperation, dedication and hard work over the past year.

Items Added to the Agenda

Warden Cotton indicated the Clerk wished to add correspondence from Elder Engineering Inc. regarding transmitting facilities for Telile Isle Madame Community Television.

Moved by Councillor Sampson, seconded by Councillor MacPhee that the item added be accepted as presented. Motion carried.

Review of Minutes: May 14, 2001

Moved by Councillor Beaton, seconded by Councillor MacNeil that the minutes of May 14, 2001 be adopted as presented. Motion carried.

Presentations:

- (a) Department of Transportation re: Trunk 4 & Review of Capital and Operating Expenditures

Warden Cotton welcomed Mr. Bruce Fitzner and Mr. Robert Carroll to the meeting.

Warden Cotton noted the representatives had attended a Council Meeting in December and Council had requested that they provide additional information regarding proposed projects in order to determine if these projects will be adequate and if they will be carried out.

Mr. Fitzner reported that work on Highway 104 will be carried out this year at an estimated cost of \$2 million. He noted there would not be any other large scale projects taking place in Richmond County this year, and noted that some projects will be carried out under the RIM funding, noting that an extra \$11 million had been received for the RIM funding (province-wide).

Mr. Fitzner reported that he had submitted 20 projects for his Eastern District, as priorities for next year, which were a section of Trunk 4 from Louisdale through River Bourgeois, a section of Trunk 4 in the Soldier's Cove area and a section of road in the Industrial Park in Point Tupper. Mr. Fitzner indicated that the traffic counts in Soldier's Cove were significantly higher than those in River Bourgeois, and therefore that may take priority.

Mr. Fitzner indicated the Minister had released a report in May regarding Nova Scotia Primary and Secondary Road Assessments, and he submitted a copy for distribution to Councillors. He outlined some of the recommendations in the report for Council, noting that the ten year needs assessment gives a good scope of what we're up against. He noted the report is meant to quantify the scope of the deficit and categorized the highway system and identified 600 km of highway twinning. He noted the report indicates that \$789 million will be spent on highways across the province. He further noted that 85% of 100 series highways will require repaving over the life of the study and 74% of secondary roads will become 20 years old over the 10 years life of the study. He indicated that new paving of local roads will cost approximately \$50 million.

Mr. Fitzner indicated the report identified that \$3.4 billion is required over the ten year period to bring the roads back to the condition that the public would be satisfied with, which is \$340 million per year. He indicated that the budget for this year has been identified at approximately \$60 million.

Mr. Carroll reviewed some of the work to be carried out under the RIM funding (i.e. asphalt and spreader projects on the Grantville Road, Trunk 4 – St. Peter's to the Cape Breton County line, Whiteside Road, Grand Gully Road and Hay Cove Road; gravelling on the Sporting Mountain Road; shoulder work and asphalt patching on Route 206 on Isle Madame; ditching projects on the Little Anse Road; brush cutting on various roads and various guardrail projects; patching along Trunk 4 - River Bourgeois to Louisdale ; and patching on Highway 104).

Mr. Carroll suggested that Councillors contact him if they should require clarification on regular maintenance projects.

A question and answer period followed.

In response to a question, Mr. Carroll indicated he would release the list of projects to Councillors, after tenders have been awarded for the work.

Councillors expressed grave concerns over the conditions of the roads in the entire county and noted unless federal funding becomes available, the situation will only worsen.

Councillor Beaton expressed concern on the deplorable condition of the Rocky Bay Road, noting that many complaints have been filed with the Department regarding this road over the past several years and no work has been done to date. Mr. Carroll indicated that patching work would be carried out, but noted that it could be a long time before repaving is done on this road.

The Clerk noted that Council had been informed at the December Meeting that the repaving of Route 4 from Louisdale to the Sporting Mountain Road was on the list as the #1 priority and they had been told this work would be tendered. Mr. Fitzner noted the minutes contained an error, noting he would not have been aware of this at that time.

Councillor MacPhee requested an explanation to the change in priority regarding the repaving of Route 4 from Louisdale to the Sporting Mountain Road, between the time the recommendation was made and the time a decision was made.

Mr. Fitzner indicated he submits the list of priorities, according to need, to the Technical Services Group who evaluate projects and make the final decision.

The Clerk indicated he appreciated Mr. Fitzner and Mr. Carroll attending the several Council Meetings during the past six months, at the request of Council.

Warden Cotton thanked Mr. Fitzner and Mr. Carroll for attending the meeting.

(b) Rural Cape Breton District Planning Commission re: Annual Report

Warden Cotton welcomed Mr. John Bain, Executive Director, to the meeting.

Mr. Bain presented his annual report (copy attached), highlighting the work carried out in the past year. He indicated he wished to thank Warden Cotton, Councillors and the Chief Administrative Officer for their help and cooperation during the past year and thanked past and present Council representatives on their Board.

Mr. Bain indicated the first draft of the Louisdale Wellhead Plan was now complete and will be looking at developing a municipal development plan for Evanston in the near future.

Mr. Bain reported that there were 59 housing starts in Richmond County this year, with housing values at \$4.5 million, compared to 56 last year, with housing values at \$3.6 million. He also reported that 260 permits (\$7.2 million) had been issued this year, compared to 269 last year (\$14.8 million). He indicated the drop in value was due to the construction of the new school last year, with the amount being fairly consistent each year at approximately \$7 million.

Mr. Bain reported a considerable amount of time had been expended on civic addressing and work is being done on the Oldhan Engineering mapping, which are being put in digital format. He indicated the mapping has been put on the web page and noted that statistic information will also be put on the web site within the next month.

Warden Cotton thanked Mr. Bain for his presentation and indicated the quality of work being received from the Rural Cape Breton District Planning Commission is exemplary and congratulated Mr. Bain for the level of service being provided.

Moved by Councillor Johnson, seconded by Councillor MacPhee that the annual report of Executive Director of the Rural Cape Breton District Planning Commission be accepted as presented. Motion carried.

Second Reading Approvals:

- (i) to adopt a Civic Addressing By-Law, which is attached as Appendix “A”

Moved by Councillor MacNeil, seconded by Councillor Beaton that Municipal Council give Second Reading Approval to adopt the Civic Addressing By-Law, which is attached as Appendix “A”. Motion carried.

- (ii) to amend the Subdivision By-Law, by adding to Part D – Private Roads Right-of-Ways, Section 33, Sub-Section (1): “(e) have the name of the private road right-of-ways as issued by the civic addressing system:, which is attached as Appendix “B”

Moved by Councillor MacPhee, seconded by Councillor Bourque that Municipal Council give Second Reading Approval to amend the Subdivision By-Law, by adding to Part D – Private Roads Right-of-Ways, Section 33, Sub-Section (1); “(e) have the name of the private road right-of-ways as issued by the civic addressing system:, which is attached as Appendix “B”. Motion carried.

Notice of Motion – Deputy Warden Goyetche: to amend the policy on grant requests by removing the deadline of March 31 from the policy, regarding the receipt of grant

applications, attached as Appendix “C”

Warden Cotton indicated Deputy Warden Goyetche was not present and requested a motion from Council regarding this amendment.

Moved by Councillor Johnson, seconded by Councillor Sampson that the policy on grant requests be amended by removing the deadline of March 31 from the policy, regarding the receipt of grant applications, as attached in Appendix “C”. Motion carried.

Reports:

(a) Committee of the Whole

Councillor MacPhee presented the monthly report of the Committee of the Whole (copy attached).

Moved by Councillor MacPhee, seconded by Councillor Boudreau that Council accept the recommendation of the Committee of the Whole and that Porter Dillon be engaged to provide the design and tendering work for the proposed Arichat water treatment plant, the Louisdale water storage tank replacement, and the Evanston water tank upgrades, because the firm has previously provided engineering evaluations/pre-design/etc. of these three projects. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that approval be given to the road name changes from McNab’s Road to West Side Loch Lomond Road; from Northside Loch Lomond Road to Passage Road and a portion of MacDonald Lane to Peter F. Campbell Lane, if these road name changes meet policy approval and receives the approval of the Department of Transportation and the District Planning Commission. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that Council accept the recommendation of the Committee of the Whole and authorize staff to engage an engineering firm to analyze the two private water supply systems in the Sampsonville area, and to recommend solutions to permit the water systems to meet current regulations and standards. Motion carried.

Warden Cotton noted that a public meeting was scheduled for June 26 in Sampsonville, and indicated that he and the Municipal Engineer would attend.

Moved by Councillor MacPhee, seconded by Councillor Beaton that Council accept the recommendation of the Committee of the Whole and that Schedule “A” in By-Law #36, include all of the properties listed in the Clerk’s memo with a charitable tax number, with the intent of providing them with a total tax exemption for the current year;

AND FURTHER MOVED that the Committee recommend to Council that the properties of the Johnstown Community Development Co-Op, the Isle Madame Seniors Club, the Bonnie Brae Seniors Club and the St. Peter's Lions Club be totally exempted from taxes for the current fiscal year, in accordance with the authority contained in Provincial Legislation;

AND FURTHER MOVED that grants be provided to the following facilities, in order to provide them with an amount equal to their property taxes for the current fiscal year:

Rocky Bay Hall
D'Escousse Hall
Salmon River Hall
Framboise Hall
Lakeside Hall
MacAskill House Museum
Isle Madame Historical Society
Forchu Hall
River Bourgeois Seniors Club 50
South Mountain Arm of Gold
Nicholas Denys Museum
Grand River Volunteer Fire Department
St. Peter's Fire Department
Isle Madame Fire Department
Louisdale Fire Department
Loch Lomond Fire Department
Point Tupper War Memorial
Basin River War Memorial

Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and award the following grants to community groups:

- \$15,000 to the Richmond Arena (Year 3 of 4 year commitment)
- \$1,750 to the Richmond County Tourism Association (Year 3 of 5 year commitment)
- \$5,000 to Strait Richmond Health Care Foundation (Year 1 of 2 year commitment)
- \$10,000 Richmond County Literacy Society (Year 1 of 3 year commitment)
- \$500 to the Recovery House
- \$600 to the Island Restorative Justice Program
- \$1,200 to the Stora Minor Hockey Tournament
- \$750 each to Nicholas Denys Museum, Oceanview Wildlife Association, LeNoir Forge Museum, Point Tupper Heritage Association and the MacAskill House Museum
- \$1,800 to the Rocky Bay Neighborhood Association/Restoration of Doyle's Road
- \$6,925 to the L'Ardoise Economic Association for Development
- \$4,000 to the St. Peter's Village Commission

- \$1,000 to the East Richmond Playground Committee
- \$500 to the Richmond Academy Scholarship Fund
- \$500 to the Strait Richmond Caregiver's Committee

\$52,525 TOTAL

Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Boudreau that Council accept the recommendation of the Committee of the Whole and that a commitment of a recreation disbursement in the amount of \$2,500 per year for a five year period be provided to Development Isle Madame for maintenance of their Cape Auget eco-trail, conditional on the group maintaining the trail for the purposes outlined in their proposal and also that DIMA provide an annual report to Council regarding the maintenance of the trail. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Bourque that Council accept the recommendation of the Committee of the Whole and deny the request for a monetary grant from Radio Communautaire, but authorize staff to convey the necessary property, conditional on the property being surplus to municipal requirements, and further moved that Council accept the recommendation to forego a low income tax exemption program. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that Municipal Council endorse the concept put forward by the Richmond County Disabled Association for an accessible bus that would serve the entire county, but that Council not provide a grant to the group for this year, and further moved that they be advised that their request will be given strong consideration for a grant next year if they provide a more detailed application, similar to the applications received from the groups that are being funded. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that Council accept the recommendation of the Committee of the Whole and that the following fire levy area rates be approved for the current year:

St. Peter's & District Volunteer Fire Department	-	.14¢
District 5 & 6 (Louisdale & West Bay Road)	-	.10¢
L'Ardoise Volunteer Fire Department	-	.16¢
Grand River Volunteer Fire Department	-	.15¢
District #10 Volunteer Fire Department	-	.12¢

AND FURTHER MOVED that those fire departments who have not submitted requests and supporting documentation be provided with the same rate as last year, with the condition that funding will not be transferred to these departments until they have provided the necessary information, with those rates being:

Isle Madame (Districts 1,2,3,4)	-	.09¢
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Loch Lomond Area Volunteer Fire Department	-	.12¢
Framboise-Forchu Area Volunteer Fire Dept.	-	.15¢

Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that Council accommodate the Village Commission, as in prior years, and collect the area rate approved and requested by the St. Peter's Village Commission. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and that interest earned on municipal capital reserve funds be allowed to be taken into our general operating fund for the fiscal years ending March 31, 2001 and March 31, 2002. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and authorize staff to engage an architect to evaluate the present municipal office and determine costs and make recommendations regarding the renovation and expansion of the present building, and also the construction of a new building. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that Council accept the recommendation of the Committee of the Whole and establish an Adhoc Committee, to be comprised of Recreation Staff, Council Representatives, Education System Representatives, and other organizations working with youth (i.e. IAMS, Police, etc.), with a request to provide a recommendation to Council on options and priorities for expending the funding that Council has allocated for youth, in order to realize maximum impact. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Bourque that Council accept the recommendation of the Committee of the Whole and approve merit increases for the current year, at an average of 2.5%, as recommended by staff;

AND FURTHER MOVED that Joseph Boudreau be promoted to "Lead Field Hand", with movement on the salary scale as recommended by the C.A.O.;

AND FURTHER MOVED that Mark Pincivero be offered a contract as outlined in the recommendations from the C.A.O.;

AND FURTHER MOVED that the Tourism Coordinator's position be extended for a further two years, on a contract basis as outlined in the recommendations from the C.A.O.;

AND FURTHER MOVED that staff be authorized to present a report to the C.A.O. and Council, regarding recommendations for compensation of overtime worked. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and give approval to the municipal estimates of revenues and expenditures for the year ending March 31, 2002 in the amount of \$9,307,752 (copy of budget attached as Schedule "A");

AND FURTHER MOVED THAT WHEREAS pursuant to the Municipal Government Act, the Municipal Council of the Municipality of Richmond estimates that sums amounting to \$6,837,776 are required for the lawful purpose of the said Municipality for the year ending March 31, 2002, after crediting the probable revenue from all sources other than rates for the said year and making due allowance for the abatement and losses which may occur in the collection of the taxes and for taxes for the said year which may not be collectible or collected;

BE IT THEREFORE RESOLVED that Richmond Council hereby authorizes the levying and collection of a residential rate of .67¢ on each \$100 of the assessed value of residential property assessed on the assessment roll and a commercial rate of \$1.33 which rates said Council deems sufficient to raise the sums required to defray the expenditures of the said Municipality for this year, and any deficit from the preceding years;

AND BE IT FURTHER RESOLVED that Richmond Council hereby imposes an additional percentage charge of 18 percent per annum on all rates and taxes remaining unpaid from the final billing after the 31st day of October, 2001;

AND BE IT FURTHER RESOLVED that Richmond Council hereby fixes the 30th day of September, 2001 as the day of which the Tax Collector or Treasurer may proceed to issue warrants for the collection of all rates and taxes then unpaid. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that the report of the Committee of the Whole be accepted as presented. Motion carried.

(b) Clerk re: Annual Report

The Clerk presented his annual report, outlining major activities for the past year, and financial performance (copy attached).

(c) Pension Advisory Committee

Councillor Johnson presented the report of the Pension Advisory Committee (copy attached).

Moved by Councillor Johnson, seconded by Councillor Boudreau that Council accept the recommendations of the Pension Advisory Committee as follows:

- the deficit of \$54,800 be amortized over the number of years permissible according to the pension plan provider;

- the increase of 0.4% should be split 50/50 between employer and employee, which will result in contributions of 7.5% employer, and 5.2% employees;
 - the Statement of Investment Policy, attached as Appendix “A”, be approved;
 - the funds of the plan be invested 50% in equity based mutual funds, and 50% fixed income funds, with the funds to be chosen by the Pension Committee, based on the recommendations of the pension plan provider.
 - that a report be prepared by staff with pension plan options for Councillors, in accordance with the Municipal Government Act, and the Councillors plan to be a separate division from employees, within the Richmond County pension plan.
- Motion carried.

Annual Appointments

(a) Municipal Solicitors

Moved by Councillor Johnson, seconded by Councillor Bourque that the firm of Pickup and MacDowell be re-appointed as the municipal solicitors for the current fiscal year.
Motion carried.

(b) Municipal Auditors

Moved by Councillor MacPhee that this matter be tabled. Councillor MacPhee withdrew his motion.

Moved by Councillor MacPhee, seconded by Councillor Boudreau that Dave Smith be re-appointed as Municipal Auditor and further moved that Municipal Council evaluate this appointment for the next fiscal year, when the report from staff is received. Motion carried.

(c) Signing Officers

Moved by Councillor Sampson, seconded by Councillor Johnson that the Clerk, the Deputy Clerk and the Warden be appointed as Signing Officers, with the Deputy Warden being appointed as an Alternate to the Warden. Motion carried.

(d) Representative – Eastern Counties Regional Library Board

Moved by Councillor MacPhee, seconded by Councillor Johnson that Councillor Beaton be re-appointed as the municipal representative on the Eastern Counties Regional Library Board. Motion carried.

(e) Heritage Advisory Committee (3 Councillors)

Moved by Councillor Sampson, seconded by Councillor Bourque that Councillor MacPhee, Councillor Beaton and Councillor MacNeil be appointed to the Heritage Advisory Committee. Motion carried.

(f) Inverness/Richmond District Planning Commission (2 Councillors)

Moved by Councillor MacNeil, seconded by Councillor MacPhee that Councillor Bourque and Councillor Beaton be re-appointed as the municipal representatives on the Inverness/Richmond District Planning Commission. Motion carried.

(g) Representative – Strait Regional Airport Committee

Moved by Councillor Johnson, seconded by Councillor MacPhee that Councillor Bourque be re-appointed as the municipal representative on the Strait Regional Airport Committee. Motion carried.

(h) Planning Advisory Committee (5 Councillors)

Moved by Councillor Sampson, seconded by Councillor Bourque that Councillor McNamara, Councillor MacPhee, Deputy Warden Goyetche, Councillor Boudreau and Councillor MacNeil be re-appointed as the municipal representatives on the Planning Advisory Committee. Motion carried.

(i) Richmond/Port Hawkesbury Joint Development Commission (Warden plus 2 Councillors)

Moved by Councillor Johnson, seconded by Councillor MacNeil that Warden Cotton, Councillor Bourque and Councillor McNamara be re-appointed as the municipal representatives on the Richmond/Port Hawkesbury Joint Development Commission. Motion carried.

Correspondence:

(a) Premier John Hamm re: Requested Meeting

Warden Cotton noted he was extremely disappointed that Premier Hamm has refused to meet with Council, indicating that he was aware that the Premier had met with other municipal units.

(b) Mr. Michel Samson re: List of Last Summer's Maintenance Projects

(c) Service Nova Scotia & Municipal Relations re: Assessment Cost Recovery

(d) Strait Regional School Board re: Mandatory Municipal Education Tax

The Clerk indicated he had written to the Province requesting confirmation of the mandatory municipal education tax being set at 35.15¢, but to date, he has not received confirmation.

(e) Hon. Jane Purves re: Provincial Funding

(f) Mr. Danny Jeffrey re: Land at Industrial Mall

Moved by Councillor Bourque, seconded by Councillor Sampson that a letter be written to Mr. Danny Jeffrey indicating that the Municipality does not have any zoning restrictions on the parcel of land owned by Mr. Jeffrey and located adjacent to the Louisdale Industrial Mall, and also that Mr. Jeffrey be advised that Richmond Council does not object to his use of this property for commercial purposes. Motion carried.

(g) Ste. Anne Community & Nursing Care Centre Board of Directors re: Council Representative

Moved by Councillor Bourque, seconded by Councillor MacPhee that Councillor Boudreau be re-appointed as the municipal representative on the Ste. Anne Community & Nursing Care Centre Board of Directors. Motion carried.

(h) Sempra Atlantic Gas re: Recent Report Regarding Tax Arrangements and the Installation of the Natural Gas Distribution System

(i) Cooperative Radio Richmond Ltee re: Request for Air Time Sponsorship

(j) Minister of Health re: Senior Citizens Week

Moved by Councillor Beaton, seconded by Councillor MacNeil that Municipal Council declare the week of June 17-23, 2001 as "Senior Citizens Week" in Richmond County. Motion carried.

Item Added to the Agenda

The Clerk indicated that Telile were requesting a letter of acknowledgement for their new transmitting facilities that will be located at the MT&T site in Arichat.

Moved by Councillor Beaton, seconded by Councillor Boudreau that a letter of acknowledgement be sent to Industry Canada expressing Council's support for Telile's new transmitting facilities to be located at the MT&T site in Arichat. Motion carried.

Fifteen Minute Question Period

There were no questions.

Moved by Councillor MacPhee, seconded by Councillor Johnson that the meeting be adjourned. Motion carried.

There being no further business, Warden Cotton adjourned the meeting at 9:05 p.m.