

RICHMOND COUNTY MUNICIPAL COUNCIL

REGULAR MEETING

DECEMBER 10, 2001

Location: Court House, Arichat

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

The Clerk took roll call of Councillors.

Items Added to the Agenda

Warden Cotton indicated he wished to add the Salary Negotiations Report, which will be discussed "In-Camera" and a letter from Telile regarding DIMA's bingo proposal. He indicated Councillor Sampson would be making a special introduction.

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

Councillor Sampson noted he was the Council representative on the Strait Richmond Hospital Physician Recruitment Committee and indicated he was very proud and honored to introduce Dr. Mahmood Elahi who recently accepted the physician position at the Strait Richmond Hospital. He indicated Dr. Elahi arrived approximately one month ago from Brampton, Ontario and will soon be joined by his wife and three children. He indicated he was extremely pleased that Dr. Elahi accepted the position of emergency room physician and welcomed him and his family to the area. He also acknowledged the tremendous contribution by staff, members of the Strait Richmond Hospital Physician Recruitment Committee, existing physicians and the MLA in their plight, many letters and prayers to lobby and recruit another physician for the Strait Richmond Hospital.

Councillor Sampson asked each Councillor to introduce themselves to Dr. Elahi and indicate which districts they represent.

Dr. Elahi thanked Council for the opportunity to be introduced and indicated he has been here approximately one month and is very impressed with the beauty of Isle Madame, the Cabot Trail and Cape Breton Island as a whole. He indicated the staff at the hospital were extremely friendly and made him feel very welcomed and he noted he feels extremely privileged to be here.

Warden Cotton thanked Councillor Sampson and Dr. Elahi for the introduction.

Review of Minutes: November 13, 2001

Moved by Councillor Beaton, seconded by Councillor MacNeil that the minutes of November 13, 2001 be adopted as presented. Motion carried.

Presentations and/or Delegations

(a) Development Isle Madame re: Funding Request

Warden Cotton welcomed Silver Donald Cameron to the meeting.

Mr. Cameron addressed Council indicating that Development Isle Madame was requesting that Council provide some bridging assistance which DIMA will use to try to resolve the constant threat to its existence and which will carry them through the first quarter of 2002 (from January 2 to March 31), noting the operation of the office with a single staff person requires a minimum of \$3,000 per month and therefore they are requesting \$9,000 from Council.

Mr. Cameron indicated that if Council granted this request, DIMA would use the three month period to do the following four projects, as well as shepherding its existing grant applications through the approval process:

- Develop a fundraising plan for itself, in consultation with the local organizations.
- Develop a strong relationship with the local organizations, offering to put its business development experience at their service by working with them on individual renewal plans if they wish to do that. DIMA believes it could obtain project funding for that purpose.
- Create a long-term communication plan to ensure that the people of Isle Madame are consistently kept aware of DIMA's activities and plans.
- Lobby the federal and provincial governments to participate in a pilot project which would combine multi-year funding for DIMA with a rigorous evaluation, to measure DIMA's impact and thus to provide a rationale for similar investments in other communities.

Mr. Cameron indicated that in recent conversations with provincial officials, DIMA was led to believe that if the Municipality would provide a significant part of the amount required, the Province would respond with matching funds.

A question and answer period followed.

Councillor McNamara noted DIMA could certainly be used as an example of a solid group in economic development and she felt it was imperative of Council to do everything they could to help this group. She commended the group and noted she looked forward to seeing them continue their good work.

Councillor Goyetche indicated he would like to see monthly progress reports and financial standings from DIMA, in order to ensure some form of communication.

Moved by Councillor Bourque, seconded by Councillor Beaton that the request from Development Isle Madame for funding in the amount of \$9,000 to cover the cost of operation of the office for the first three months of 2002 be referred to the January, 2002 Committee of the Whole Meeting; and further moved that the funding be retroactive to January 1, 2002, if the request is granted. Motion carried.

Warden Cotton indicated to Mr. Cameron he would contact him, following his conversation with Mr. Chris Bryant and he would request staff to do some work with regards to the community grant process for the next Committee of the Whole Meeting.

Warden Cotton indicated if the request is authorized by Council, payment will be given in three instalments, with an interim report being requested from DIMA prior to the next payment being released.

Warden Cotton thanked Mr. Cameron for attending the meeting.

(b) Nova Scotia Housing Services re: Programs

Warden Cotton welcomed Mr. Cyril LeBlanc to the meeting.

Mr. LeBlanc addressed the meeting and apologized for being unable to attend the previous Council Meeting, due to stormy weather conditions. He noted he had previously distributed information regarding information on the Department, Public Housing, Provincial Program and Federal Program.

Mr. LeBlanc indicated the Housing Services Division of the Department is responsible for provincial housing initiatives including provincial grant and loan program delivery; CMHC-RRAP Program delivery and all social housing operations. He noted that over the past number of years, budgets have been cut, while program demand has grown excessively caused by the ever aging housing stock; poor economy creating assistance dependency; low to modest homes being purchased that need immediate repair; in-home supports keeping seniors in their aging homes longer; repeat applications from previously assisted individuals and growing cost of home repairs whereby maximum grant levels are required.

Mr. LeBlanc noted the Department is now forced to screen and prioritize all applications and deal with "code 1" types of emergency housing repair requests first, which is one that

prevents the applicant from remaining in their home now, and not of a maintenance or non-emergency nature.

Mr. LeBlanc indicated the Department's provincial budget is allocated to its four delivery regions and subsequently to counties based on the CMHC core housing need model which has two stages. He noted the first identifies households living below currently acceptable housing standards and the second assesses household income being adequate to obtain housing that meets these standards. He indicated the standards in question relate to affordability, suitability and adequacy.

Mr. LeBlanc indicated Region I, which consists of all of Cape Breton Island, has a current annual budget of \$3.5 million in total, of which approximately 27.3% (\$1 million) is for loan programs and 72.7% (\$2.5 million) is for grants/forgivable loans. He noted the initial budget allotment for Richmond County translates into a \$264,000 total budget (approximately 7.5%), with \$76,800 being for repayable loans and \$187,200 for grants/forgivable loans.

Mr. LeBlanc indicated the Regional Office can assist approximately 700-750 applicants per year, and receives in excess of 1,400 total applications annually. He noted that approximately 100-125 applications are received from Richmond County each year, with assistance being given to approximately 70-80 applicants. He indicated there were presently 79 applications from Richmond County on a waiting list (14 for Homeowner RRAP; 12 for Hasi; 28 for SCAP and 25 for PHERP).

A question and answer period followed.

In response to a request from Councillor Sampson, Mr. LeBlanc indicated he would provide a breakdown of the waiting lists for other counties in the region to Council.

In response to a question, Mr. LeBlanc acknowledged that Richmond only had approximately three and one half percent of the provincial housing units on Cape Breton, however, he suggested that a unique approach will be required to remove the inequity, because of scarcity of federal and provincial funds. Also, he indicated that the Regional Office was going to establish one main sub-office for the three western Cape Breton Island counties, however, the Department would maintain the part-time office that currently exists in Richmond County.

Moved by Councillor Sampson, seconded by Councillor Goyetche that given the current inadequate allotment for Richmond County for housing programs, and the excessive demand and waiting lists, that Richmond Municipal Council make representation to the provincial and federal governments to provide substantial additional funding, in order to provide proper delivery of housing programs in Richmond County. Motion carried.

Warden Cotton thanked Mr. LeBlanc for attending the meeting.

Notice of Motion – Deputy Warden Johnson: to adopt an “Awards of Recognition” Policy as a policy of the Municipality (attached as Schedule “A”)

Moved by Deputy Warden Johnson, seconded by Councillor MacNeil that Richmond Municipal Council adopt the “Awards of Recognition” Policy attached as Schedule “A”, as a policy of the Municipality. Motion carried.

Committee Reports:

(a) Committee of the Whole

Deputy Warden Johnson presented the monthly report of the Committee of the Whole (copy attached).

Deputy Warden Johnson gave notice that she would introduce a motion at the next regular Council Meeting that Council accept the recommendation of the Committee of the Whole and that Section 4 of the Tax Refund Interest Rate Policy be amended as follows:

“The Municipality shall pay interest on tax refunds under “2” above at the lessor of:

(i) rate of 3% per annum (.25% per month), calculated on a monthly basis;

or

(ii) actual interest rate earned on municipal cash deposits, calculated on a monthly basis.”

Moved by Deputy Warden Johnson, seconded by Councillor Bourque that Council accept the recommendation of the Committee of the Whole and that a two year contract position for an Engineer be established, in order to assist with delivering the Municipal Infrastructure Program. Motion carried.

Moved by Deputy Warden Johnson, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that the Municipality not enter into a lease agreement with Mr. Rod Resch to rent Bay #4 at the Industrial Mall. Motion carried.

Warden Cotton indicated he had spoken to Mr. Resch several times who had requested a copy of the Committee of the Whole minutes and had indicated to him they were not available until they were approved and he also noted that he had received a phone call from the Ombudsman’s Office who were requesting a copy of the minutes as well as a transcript of the tape from the meeting. He noted he had indicated to the Ombudsman’s Office that the request must be made in writing.

In response to a question from Councillor MacPhee, Warden Cotton indicated that Mr. Resch was occupying bay #4 without permission and without the Municipality's knowledge. He noted Mr. Resch should have been told to move out as soon as the Municipality became aware of the situation, but Mr. MacDonald allowed him to stay until the matter was brought to Council. He noted that Mr. MacDonald did not give him verbal approval because he does not have that authority.

Warden Cotton noted that the leases at the Industrial Mall do not allow for sub-leasing.

In response to a question from Councillor MacPhee, the Clerk indicated that Council itself is the only one who can approve leases, and there are no verbal agreements for the rental of the premises.

In response to a question from Councillor Sampson, Warden Cotton indicated he had not researched the type of business Mr. Resch was operating.

The Committee discussed the actuarial review regarding the pension plan for Clerks, which is required next year.

Moved by Deputy Warden Johnson, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that the required actuarial review also provide advice on the ability of the pension plan for Clerks to meet Council's obligations, and provide options if there are any unfunded liabilities; and also that the plan text reflect a 60% survivor benefit, with the value of the plan transferred to a spouse in the event of Clerk's death prior to retirement, or estate if death by plan member and spouse (prior to retirement); and further moved that funding for six years prior employment be provided into a financial vehicle, based on the equivalent of six years defined benefit, on a similar basis (50/50) as provided other employees. Motion carried.

Moved by Deputy Warden Johnson, seconded by Councillor McNamara that Council accept the recommendation of the Committee of the Whole and that the Municipal Office close for Christmas hours on December 24, 27 and 28 and New Year's Eve, in addition to statutory holidays; and further moved that emergency coverage, especially for matters regarding water and sewer, be in place throughout these times. Motion carried.

The Committee reviewed a draft intermunicipal agreement, which has been recommended to the Municipality of Richmond, by the Mayors and Wardens Committee. The agreement would establish the Mayors and Wardens Committee.

Moved by Deputy Warden Johnson, seconded by Councillor McNamara that Council accept the recommendation of the Committee of the Whole and that the Municipality of Richmond approve of the Inter-Municipal Agreement, attached as Appendix "A", which establishes the Mayors and Wardens Committee; and further moved that the appropriate municipal signing officers be authorized to execute the necessary documents. Motion carried.

Warden Cotton noted this agreement was going before all Strait Area Councils, and once endorsed by all Councils, will establish the Mayors and Wardens Committee.

Moved by Deputy Warden Johnson, seconded by Councillor MacNeil that the monthly report of the Committee of the Whole be accepted as presented. Motion carried.

Correspondence:

- (a) L'Ardoise Volunteer Fire Department re: Civic Address Signage
- (b) Rural Cape Breton District Planning Commission re: E-911 Services
- (c) U.N.S.M. re:
 - (i) Update on UNSM's Roles and Responsibilities Proposal

Warden Cotton noted some additional information has been received and noted the U.N.S.M. is recommending that the Municipal Government Act be amended to provide that municipal units shall levy a deed transfer tax at a rate of 1.5% and any surplus funds raised from the deed transfer tax will be spent as the UNSM dictates and noted they also feel the total mandatory municipal contributions to education should be frozen. He noted negotiations are continuing and hoping they will be resolved fairly quickly. He indicated another meeting will be held sometimes in January.

- (ii) E-911 Services

Warden Cotton indicated that Mr. Duart MacAulay had questioned if this procedure was fair indicating that almost all applications in rural areas warrant someone to go out and do measurements, etc. while HRM are getting 35% of the entire budget to assign 911 numbers in our rural areas.

- (d) Department of Transportation re: Introduction of the Province's New Roadside Advertising Sign Program

Concern was expressed regarding the insufficient notice given to businesses to remove their signs, and the lack of proper marketing to the public and businesses in rural areas of Richmond County to ensure that those who have legitimate signs up through permits are aware of these regulations.

Moved by Councillor MacPhee, seconded by Deputy Warden Johnson that Richmond Municipal Council request the proper individuals from the Department of Transportation and Public Works to carry out a public information meeting in the County of Richmond to inform business people and local residents on what these new sign regulations are and what is involved with the present ones that are up; and further moved that a copy of the correspondence be sent to the local Tourism Advisory Group and Mr. Michel Samson, MLA. Motion carried.

(e) Premier John Hamm re: Taxation of Nova Scotia Power Incorporated

Warden Cotton indicated that he, Councillor Sampson and Mr. Alan MacDonald would be attending an OTANS breakfast in Halifax for a briefing on an energy strategy and indicated if anyone else wished to attend to let him know.

(f) Better Business Bureau of the Maritime Provinces Inc. re: Municipal Membership Program

It was the consensus of Council that Warden Cotton present this correspondence to the Union of Nova Scotia Municipalities to take a broader view at Nova Scotia Municipalities becoming members under the new Municipal Membership Program.

(g) Municipality of the District of Yarmouth re: Assessment Services

Councillor Bourque declared a conflict of interest indicating he is an employee of the Assessment Department and he left his seat during voting and discussion of this item.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that this correspondence be tabled until further information is obtained. Motion carried.

(h) CUPE Local 1867 (Nova Scotia Highway Workers) re: Contract Work

The Clerk indicated this document had been provided for Council's information by a union member who had attended the last Council meeting.

Councillors expressed concern regarding work being contracted out by the Province that the Union can do.

Councillor Sampson noted there has been very little consultation or explanations provided regarding private contracting.

The Clerk noted that very often, work in Richmond County is contracted out by companies not from Richmond.

Councillor MacNeil expressed grave concern with snow removal being contracted out outside of Richmond County.

Moved by Councillor MacNeil, seconded by Councillor Sampson that Richmond Municipal Council request a report from the Regional Manager for the Department of Transportation, which would provide information on the amount of work tendered in Richmond County, requesting a comparison to other counties, and the proportion of contracts awarded to Richmond County companies and further moved that information be requested on the future plans of the Department for tendering highway maintenance (summer maintenance, winter maintenance, snow removal, etc.). Motion carried.

(i) Councillor Sampson re: Road Name Change from “5098(P)” to “Tranquil Lane”

Moved by Councillor Sampson, seconded by Councillor MacPhee that Richmond Municipal Council approve of a road name change from “5098(P)” to “Tranquil Lane” in L’Ardoise (District #9), if it meets policy approval and receives the approval from the Department of Transportation and the District Planning Commission. Motion carried.

(j) Rural Cape Breton District Planning Commission re: Naming of Dorothy Robinson Drive

Moved by Councillor McNamara, seconded by Councillor MacNeil that Richmond Municipal Council approve of a road name in a subdivision approved for Canadian Pioneer Estates in the Evanston area (District #5) as “Dorothy Robinson Drive (P)”, if it meets policy approval and receives the approval from the Department of Transportation and the District Planning Commission. Motion carried.

(k) Henson College re: Request for Funding to the Municipal Endowment Fund

Moved by Councillor MacPhee, seconded by Councillor Goyetche that this grant request be referred to the Committee on budget deliberations. Motion carried.

(l) Cape Breton Island Resorts re: Annual Peter Gzowski Drive for Literacy Golf Tournament

The Clerk indicated the resort was requesting that the Municipality sponsor the box lunch for the tournament at an approximate cost of \$2,000.

Warden Cotton indicated Council will explore the possibility of sponsoring something, noting there are also holes being sponsored.

Councillor McNamara noted that the Richmond County Drive for Literacy Golf Tournament was being held two days prior.

Moved by Deputy Warden Johnson, seconded by Councillor MacPhee that this matter be tabled until a future meeting. Motion carried.

Items Added to the Agenda

Warden Cotton indicated the item added regarding Telile was for information purposes and has been addressed during Mr. Cameron’s presentation.

Warden Cotton indicated a Negotiation Meeting had been held on Friday between a Staff/Council Salary Negotiation Committee and he wished to present a report “In-Camera”.

Warden Cotton requested and received the unanimous consent of Council to hold the fifteen minute question period prior to moving into “In-Camera” session.

Fifteen Minute Question Period

Mr. Rod Resch indicated that when he first approached Mr. MacDonald requesting if there was space available at the industrial mall, he was told there was no space available; and when asked if he could approach an existing tenant, he was told yes.

He indicated he had been renting a portion of the bay from PR Bedding and had written a letter to Mr. MacDonald on October 31 requesting that the lease be changed over to Up Front Custom Cabinetry when PR Bedding no longer required this bay. He noted he never received a response from Mr. MacDonald until November 29th when Mr. MacDonald indicated that Council would no longer be leasing this bay to him and that he should vacate and remove his belongings immediately.

He expressed concern in that he had previously discussed the leaky roof to bay #4 with Mr. MacDonald and Mr. MacDonald had requested that he look for a contractor to fix it and noted if no one was aware he was occupying the bay, it certainly was no fault of his and asked why he was not asked to leave earlier if someone knew he was occupying this bay.

Warden Cotton indicated he was not aware of his presence at the industrial mall until rent was being collected from the previous tenant. He also indicated that Mr. MacDonald does not have the authority to enter into any lease agreements without Council’s approval and indicated to Mr. Resch that if he had notified him, proper procedures could have been followed to fill out an application for rental of this bay.

Ms. Alena MacDonald apologized to Councillors Sampson and MacNeil for a recent article wherein she quoted Councillor Sampson believing she had been speaking to Councillor Sampson when in fact she had been speaking to Councillor MacNeil.

Mr. Jonathon Osmond made reference to a newspaper article regarding ambulance services, indicating that Arichat was one of the 13 communities identified as having ample coverage and requesting that Council confirm this with Emergency Medical Services.

Mr. Michel Samson, MLA addressed Council on a few issues such as the Province’s new roadside advertising sign program indicating the new regulations are causing a lot of problems and concern and noted businesses are still ordering signs unaware of the new regulations. He indicated the Highways tendering process is a concern in that Inverness and Richmond are often put together as one tender and the smaller contractors in Richmond County cannot compete and he has requested the Hon. Ron Russell to separate the tenders, in order to allow the smaller contractors to bid on the work. He indicated the ambulance service issue is a concern in that someone will get hurt, with life-threatening risks involved. He indicated 13 communities have been identified with ample coverage

and Arichat was one those communities. He urged Council to make strong representation and express outrage because Isle Madame has been looking to increase, and not reduce coverage.

Mr. Samson also indicated when he checked with the Department of Housing regarding the 79% identified as individuals on a waiting list for housing repairs, this figure represents approximately 400 applications, and does not include rejected applications. He indicated that an individual applying today would not receive any assistance until next April; and he urged Council to make as much noise as possible regarding this matter.

Moved by Deputy Warden Johnson, seconded by Councillor Goyetche that a letter be written to Emergency Health Services and indicate that Arichat has been identified as having ample ambulance coverage as part of the 13 communities identified and indicate that Isle Madame does not have a first responder and further indicating that Isle Madame is an island and connected to the Mainland by a bridge, and expressing concern that if the bridge is open and the ambulance has been called to the Mainland to cover another ambulance, Isle Madame is left with no coverage. Motion carried.

Moved by Councillor Beaton, seconded by Councillor Beaton that the meeting proceed to "In-Camera" session at 9:20 p.m. Motion carried.

Warden Cotton then called a five minute recess.

Warden Cotton recovered the regular meeting at 9:45 p.m.

Moved by Councillor Goyetche, seconded by Councillor MacNeil that the Salary Negotiation Committee Report be accepted as presented (copy attached) and that Council give approval to a two year wage agreement with staff of 7% in total (3% for 2002 and 4% for 2003), which will be effective January 1, 2002, and further that the 2003 increase will be adjusted January 1, 2003, if the CPI for December 1, 2001 to December 1, 2002 exceeds 4%. Motion carried.

Moved by Councillor Goyetche, seconded by Deputy Warden Johnson that the meeting be adjourned. Motion carried.

There being no further business, Warden Cotton adjourned the meeting at 9:45 p.m.